

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on January 9, 2018 at 5:00 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Rita Pritchett	Chair/Commissioner District 1	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Kristine Isnardi	Vice Chair/Commissioner District 5	Present	

PLEDGE

Commissioner Isnardi led the assembly in the Pledge of Allegiance.

INVOCATION

The Board paused for a moment of silence.

MINUTES APPROVAL

The Board approved the November 2, 2017 Zoning Meeting Minutes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kristine Isnardi, Vice Chair/Commissioner District 5
SECONDER: Jim Barfield, Commissioner District 2
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM I.A., RESOLUTION, RE: RECOGNIZING BREVARD VOLUNTARY ORGANIZATIONS ACTIVE IN DISATER (VOAD)

Commissioner Barfield read aloud, and the Board adopted Resolution No. 18-001, recognizing Brevard Voluntary Organizations Active in Disasters (VOAD).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Curt Smith, Commissioner District 4
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

January 9, 2018

ITEM II.A.1., RESOLUTION, RE: SALE OF PROPERTY IN COUNTY-OWNED SPACE PORT COMMERCE PARK IN TITUSVILLE

The Board adopted Resolution No. 18-002, permitting the sale of land in the county-owned Space Port Commerce Park, Titusville, for \$120,000 to Paragon Plastics; and authorized the Chair to execute all documents in connection thereof.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.A.2., FINAL PLAT AND CONTRACT APPROVAL, RE: TRASONA AT ADDISON VILLAGE PHASE 7 - THE VIERA COMPANY

The Board granted final plat approval; and authorized the Chair to execute the Contract for Trasona at Addison Village Phase 7, The Viera Company, subject to minor engineering changes as applicable, and developer responsible for obtaining all necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.A.3., APPROVAL, RE: BUS STOP #18 EASEMENT FROM CITY OF TITUSVILLE TO BREVARD COUNTY, FLORIDA

The Board approved and authorized the Chair to execute Bus Stop No. 18 Shelter, Maintenance, and Pedestrian Ingress and Egress Easement from the City of Titusville.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.A.4., WARRANTY DEED FROM THEODORE AND BEVERLY BALLARD AND QUIT CLAIM DEED FROM JIM AND ELIZABETH SWANN, RE: SOUTH TROPICAL TRAIL SIDEWALK PROJECT

The Board approved and authorized the Chair to accept the Warranty Deed from Theodore and Beverly Ballard and the Quit Claim Deed from Jim and Elizabeth Swann regarding the South Tropical Trail Sidewalk Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.B.1., APPROVAL, RE: DESIGNATION LETTER IDENTIFYING CENTRAL FLORIDA CARES HEALTH SYSTEMS, INC. AS THE OFFICIAL ORGANIZATION TO SUBMIT A FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES CRIMINAL JUSTICE, MENTAL HEALTH, AND SUBSTANCE ABUSE REINVESTMENT GRANT FOR BREVARD

The Board approved and authorized the Chair to execute the letter designating Central Florida Cares health Systems, Inc. as the official organization to submit, on behalf of Brevard County, a Florida Department of Children and Families Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant and delegating the local Public Safety Coordinating Council as the Planning Council for the grant.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.C.1., APPROVAL, RE: BUDGET CHANGE REQUESTS

The Board approved the Budget Change Request, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.C.2., APPROVAL, RE: FEMA HAZARD MITIGATION GRANT FOR HARDENING OF EMERGENCY OPERATIONS CENTER (EOC)

The Board approved a FEMA Hazard Mitigation Grant Program Grant Agreement with the Florida Division of Emergency Management for the hardening component of a new EOC; authorized the County Manager or his designee to execute the necessary associated documents, subject to approval by the County Attorney's Office and Risk Management; and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Barfield, Commissioner District 2
SECONDER: Kristine Isnardi, Vice Chair/Commissioner District 5
AYES: Pritchett, Barfield, Tobia, Smith, Isnardi

January 9, 2018

ITEM II.C.3., REQUEST FOR PERMISSION, RE: ISSUE A REQUEST FOR PROPOSALS (RFP) FOR PAY AND CLASSIFICATION PLAN STUDY

The Board authorized the Human Resources Director to release an RFP from established companies for a pay and classification plan study; and authorized the Director of Human Resources, Human Resources Personnel Manager, and Brevard County Clerk of Courts Human Resources Director, to act as the Selection Committee to evaluate all proposals submitted and to make recommendations to the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM II.D.1., APPROVAL, RE: FY18 BREVARD COUNTY CULTURAL GRANTS

The Board approved the recommendations from the Brevard County Community Cultural Grant Review Panel to fund 31 nonprofit cultural organizations or programs within the County.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
NAYS:	John Tobia

ITEM II.D.2., APPOINTMENT/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board appointed/reappointed **David Pasley** to the Citizen Budget Review Committee, with term expiring December 31, 2018; **Luke Miorelli** to the Contractors' Licensing Board, with term expiring December 31, 2018; **Peter Fusscas** to the Investment Committee, with term expiring December 31, 2018; **Steve Henderson** to EEL Program Recreation and Education Advisory Committee, with term expiring December 31, 2018; **Susan Hammerling** and **John Jay Woltering** to the Marine Advisory Council, with terms expiring December 31, 2018; **Cleave Frink** to Personnel Council, with term expiring December 31, 2018; **Andy Barber**, **Ben Glover**, **Brian Hodgers**, and **Robert J. LaMarr** to Planning and Zoning Board, with terms expiring December 31, 2018; **Daniel Mackney** to Public Golf Advisory Board, with term expiring December 31, 2018; and **Chris Graham** and **Julie Harris** to West Melbourne Public Library Board, with terms expiring December 31, 2018.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM III., PUBLIC COMMENT

Charles Tovey stated he was listening to the information that he has availability to, and Senator Marco Rubio passed a bill that would allow people to buy sand for the beaches and re-nourishment at a much lower cost he thinks; and he is wondering, it just now passed, and there was a motion to vote on a contract for sand at a certain price. He went on to say a month or two later Senator Rubio's bill passed to buy cheaper sand that is available to everyone; and he asked if there was any foreknowledge of this bill going through, and if so, why does no one else know about it. He stated maybe he is wrong with the things he says; he does not have a lot of resources; he does not have a big ole staff to do all of the work for him; and excuse him for being wrong and not on the exact mark. He expressed his appreciation to Commissioner Tobia for his effort to find the monies that are being squandered and embezzled; he thinks he should get a finder's fee; he did really go above and beyond his job, the past Commission should have been doing it; and he inquired why it happened. He stated he is still going through the same problems; the Sheriff tell him what he is allowed to say, what he is allowed to do, and this and that because of the hundreds of employees who have a job right across the street; and their jobs are more important than his right to live. He stated for his life he has people tell him what to do, when to do it, and how to do it, and he has no rights; these are constitutional officers; he is sure by now he has evidence enough to where it is not just a rumor or this and that; he just does not understand; and he inquired where is his vocabulary lists. He asked why are his rules and regulations different from everyone else's, and the people who have jobs can do anything they want, while his family is murdered and everything he has is destroyed; he stays outside and that is half of the issue because their little camp ground where they loiter and smoke across the street from his house, and he has to stay outside every day for 10 years now; and eight years goes by and no one could find the Community Redevelopment Agency (CRA) monies.

ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE 7.50 FT. PUBLIC UTILITY AND DRAINAGE EASEMENT - WILD FLOWER STREET - "CITRUS ISLE" - MERRITT ISLAND - JOHN KALEUGHER AND MARY BUTLER

Chair Pritchett called for a public hearing to consider a resolution to vacate a 7.50 foot public utility and drainage easement on Wild Flower Street, Citrus Isle, Merritt Island.

Andrew Holmes, Public Works Director, stated this Item is a petition to vacate a portion of a 7.50 foot public utility and drainage easement; the petitioner desires to extend their pool deck enclosure; and staff has not received any objections to this request.

There being no further comments, the Board adopted Resolution No. 18-003, vacating a 7.50 foot public utility and drainage easement on Wild Flower Street, Citrus Isle, in Merritt Island, as petitioned by John Kaleugher and Mary Butler.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Curt Smith, Commissioner District 4
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

January 9, 2018

ITEM IV.B., RESOLUTION, RE: APPROVING BONDS FOR TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA) AND THE ABILITY OF THE CAPITAL TRUST AGENCY TO ISSUE THE BONDS IN THE PRINCIPAL AMOUNT NOT EXCEEDING \$14,500,000 AND TO LOAN THE PROCEEDS THEREOF TO PINEAPPLE COVE CLASSICAL ACADEMY AT WEST MELBOURNE, INC., F/K/A PINEAPPLE COVE CLASSICAL ACADEMY - NORTH CAMPUS, INC., A FLORIDA NOT FOR PROFIT CORPORATION (THE "BORROWER") TO FINANCE THE PROJECT

Chair Pritchett called for a public hearing to consider a resolution approving the Bonds for Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) purposes and ability of the Capital Trust Agency to issue the Bonds in a principle amount not exceeding \$14,500,000 and to loan proceeds thereof to Pineapple Cove Classical Academy at West Melbourne, Inc., f/k/a Pineapple Cove Classical Academy - North Campus, Inc. to finance the Project.

Frank Abbate, County Manager, stated this is a TEFRA hearing, a required hearing, for proceeds to be borrowed; there would be no obligation or liability to the County; and this is for the Pineapple Cove Classic Academy in West Melbourne to finance their school.

There being no further comments or any objections, the Board held a TEFRA public hearing, and adopted Resolution No. 18-004, approving the Bonds for TEFRA purposes and the ability of the Capital Trust Agency to issue the Bonds in a principle amount not exceeding \$14,500,000 and to loan proceeds thereof to Pineapple Cove Classical Academy at West Melbourne, Inc. f/k/a Pineapple Cove Classical Academy - North Campus, Inc., a Florida not for profit corporation (the borrower) to finance the Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM V.A., INTERLOCAL AGREEMENT, RE: BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF SATELLITE BEACH COMMUNITY REDEVELOPMENT AGENCY

Frank Abbate, County Manager, stated this Item is being brought back to the Board; it is a draft of an interlocal agreement that the City of Satellite Beach had approved and had asked for several Items for the County Manager and County Attorney to go back and try to negotiate additional items into that agreement; as a result of the discussions that happened, staff provided the Board copies of the correspondence from the City of Satellite Beach City Manager; and they came up with a draft agreement after follow up discussion with her, which they are presenting to the Board, that addresses a couple of the items that the Board had directed. He went on to say those items are provided in the new version of the agreement with the underlining the Board has before it tonight; they were not willing to do everything related to the audit; that was explained in Ms. Barker's email distributed to the Board, as well as a section that talked about applying in no less than 40 percent and no more than 60 percent of the County tax increment for payment of debt service on the bonds; and those bonds cannot be paid off early, so it seems it would be disadvantageous in light of what was presented and what is in the exhibit in terms of what the County will be receiving back in terms of revenues as part of this agreement as they move forward towards the closure of this particular CRA. He pointed out Ms. Barker provided a follow up email this past Friday that addressed a few additional items that she outlined in that correspondence that the Board has.

January 9, 2018

Commissioner Smith stated he is hugely in favor of passing this agreement; as most everyone knows, he is the one who initiated the idea of coming to agreements with the various CRAs around the County to bring them to a close; as he has stated many times, he has no real problem with a purpose of a CRA, his big problem is CRAs never go away, because they can continue them simply by going into debt, and it furthers the shutdown date; City of Satellite Beach has agreed to a final terminus of their CRA; and he reiterated he is very much in favor of passing this interlocal agreement.

Motion by Commissioner Smith, seconded by Commissioner Barfield, to execute Interlocal Agreement with City of Satellite Beach and City of Satellite Beach Community Redevelopment Agency.

Commissioner Tobia stated the County Manager referenced an email sent out to the Board on January 5 at approximately 2:40 p.m.; there were a couple of follow up questions he had before he wanted to vote; Ms. Barker has issued a card; and maybe he could ask her to come up and answer questions based on the email. He expressed his appreciation to Ms. Barker for getting back to his office so quickly. He asked was there a reason the CRA entered into a loan, which cannot be paid off early.

Courtney Barker, City Manager of City of Satellite Beach, responded she has no idea; she was not working for the City at the time; the issue of that loan has been researched numerous times, including by herself at the direction of the City Council trying to see if it could be paid off early; and it is a swap agreement product, which would require if the interest rates start going down in their favor, they may be able to pay that off early, but as it is now, they are in their favor, and it would be financially unwise to do that.

Commissioner Tobia stated it seems as though there are projects through 2019, and then those projects will be winding down; it appears those projects are roughly \$930,000; and he inquired seeing as they have the ability not to add projects but to shift funds from one project to another, as another Commissioner had issues with landscaping and Palm Trees, there is a Jackson Project on here, how much of that \$930,000 is expected to be spent on Palm Trees and the like.

Ms. Barker replied for a road that size probably about \$70,000 for landscaping all the way down that road; what they were planning on was stormwater treatment, sidewalks, bike lanes, and landscaping, and working with the school to get some right-of-way there to widen those sidewalks and put in a bike lane; and it is a very popular school for pedestrian activity. She went on to say the City adding landscape to roads they do not consider a waste of money, and it would be a viable project for them.

Commissioner Tobia asked for clarity, was it \$70,000 for all of those things.

Ms. Barker responded that is an estimate, and it is just for landscaping.

Commissioner Tobia stated he appreciates Ms. Barker coming off of the initial points, it seems like she and the County Manager were able to end up more in the middle than either side, but the audit and the authority to audit is an issue; and he inquired as a County Manager, would she advise her Council to enter into an agreement with an organization that has misappropriated \$5 million of taxpayer money, and then reject the authority to audit the citizens for that tax revenue.

Ms. Barker advised they are absolutely agreeing to an audit, they are not agreeing to an internal audit, because they already have that function in their community and City; what they are not agreeing to is the Board coming in and internal auditing their funds; they do not agree with the statement that they misappropriated that money; they have already come to an agreement with

January 9, 2018

the County, which clearly states they do not agree with the County on that issue, but they came to an agreement on how to resolve that problem; and the organization is under completely new leadership. She added they have two projects the County will be auditing, and literally less than five percent of this budget is spent on administrative expenses; they are struggling to understand why the County would want to do that; the only thing they can think of is for the typical political tactics they have seen lately; and they just are not going to go through that.

Commissioner Tobia commented there are only two projects, and she is not concerned about the statutory compliance with it.

Ms. Barker stated she has not said she was not concerned about statutory compliance, in fact, she said in the email that both of those projects are absolutely allowed within the Statute.

Commissioner Tobia reiterated he said she is not concerned with it, which is fine. He asked if she is confident with the way the funds are being used, why is she not comfortable with an audit.

Ms. Barker pointed out they have already gone through a six-month odyssey with the County Clerk, and they are not going to go through that again, they are just not going to do it; they have already done all that, it is over, they have an agreement, and there is no purpose to that; and there is a performance audit and a financial audit provision in there that is more than adequate to address those concerns.

Commissioner Tobia inquired if the audits the City performed did it locate any irregularities or was it the outside audit that potentially noticed the irregularities that caused the agreement that ultimately was resolved with millions of dollars being sent back to the County.

Ms. Barker noted when the City of Satellite Beach changed Councils, there was a lot of politics involved with that; at that time, those expenses were recognized by that City Council to be not statutorily allowed; they arranged the fire expenses to be placed back into the CRA, that agreement is currently in place; that is the legal way to resolve that problem, and the City did that back then; and after that group lost their election, they appealed to the County Clerk and made that audit happen, which is why they went through all that. She remarked they are not going to do that again, because it has been done; they believe the audit provisions in this agreement are more than adequate to address the County and City concerns; and they do not need to play those games anymore.

Commissioner Isnardi inquired if Ms. Barker is more fearful of her local political attacks or what about the internal audit has her fearful, because in her email she said in fear of political attacks, and what about the audit would cause the political attacks. She noted if Ms. Barker is not worried about how the audit would turn out if the Board called for an audit, there would be nothing to politically attack the City on.

Ms. Barker explained in the last audit that occurred, they disagreed with that and came out with a big response about it; audits are perceptions, and people have different opinions about audits, especially internal audits; and if there is an auditing firm that is competent, a professional firm, maybe, but the City will not agree with any statement that the County has the right to audit the City.

Commissioner Isnardi stated that is the only part of the agreement she does not agree with; she thinks given they are County TIF funds, it should be able to audit; and there have been questionable expenses in the past, whether she agrees or not, everyone seems to think those funds were unlawfully spent.

January 9, 2018

Ms. Barker stated the County is getting two different types of audits in this agreement for two years of two very small projects; and she asked at what point a person says enough is enough.

Chair Pritchett stated the City of Satellite Beach goes through a comprehensive audit which audits the CRAs; she knows that from sitting on the city level.

Ms. Barker stated no one wants to end the CRA more than the City of Satellite Beach; last year, they did the amendment and dropped this year off of the CRA projects; and that was largely because they knew the \$25,000 homestead exemption was coming, and they wanted to help the City and County with that. She stated they will agree to coming with the County to change the budget, anything like that, but they are not opening themselves up to another political attack like they had back in 2013.

Chair Pritchett called for a vote on the motion. The Board approved Option 1, approving the Interlocal Agreement with City of Satellite Beach and City of Satellite Beach Community Redevelopment Agency, as considered by the Board on October 10, 2017, with the following revisions:

10: **PROJECT IDENTIFICATION.** The CRA, CITY and COUNTY agree that the CRA plan shall specifically identify the CRA redevelopment projects to be funded ~~the~~ by CRA tax increment and the funds proposed to be allocated to each such project. A list of the currently approved CRA projects, as set forth in the current CRA plan, is attached hereto as Exhibit B. Nothing in this section shall prevent the CRA, in its discretion, from reallocating plan approved funding to other projects identified in the approved CRA plan, provided that any new projects not specified in the plan do not exceed the total planned expenditures outlined in the Plan. Any changes to the CRA plan subsequent to the execution of this agreement shall require the approval of the Brevard County Board of County Commissioners.

13: **EFFECT OF AGREEMENT.** This agreement, including the exhibits and all documents and papers delivered pursuant hereto, and any written amendments hereto executed by the parties to this agreement constitute the entire agreement between the parties and supersedes all prior agreements and understandings, oral or written, among the parties to this agreement with respect to the subject matter hereof. This agreement may be amended only by written agreement approved and executed with the same formalities as this agreement by all parties. Nothing in this agreement shall be interpreted as modifying the authority of the Board of County Commissioners as outlined in Section 3(b) of Resolution No. 02-136.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Jim Barfield, Commissioner District 2
AYES:	Rita Pritchett, Jim Barfield, Curt Smith
NAYS:	John Tobia, Kristine Isnardi

ITEM VI.A.1., BOARD CONSIDERATION, RE: REQUEST FOR REDUCTION OF FINE AND RELEASE OF CODE ENFORCEMENT LIEN FOR CLIFFORD GREG CAUTHEN, JR. AND BRANDY MINNEAR, 1238 LAKE DR., COCOA, FL 32927

Tad Calkins, Planning and Development Director, stated this Item is a request for the Board to consider the Special Magistrate's recommendation to reduce the accrued fines for a violation at 1238 Lake Drive, Cocoa, for Code Enforcement Case 14CE-00162, from \$7,417 down to \$3,858; and direct staff to prepare and execute a release and satisfaction of lien upon receipt of

January 9, 2018

the payment. He went on to say the original violation on this property was for work without permit converting a shed into an automobile preparation and painting facility without the appropriate development permits.

Brandy Minnear stated her request is just for the reduction; back in 2014 when they originally purchased the property, the shed was existing on there, and there was no permits pulled on the shed at the time; when they found that out, they were looking for anyone to help them; they could not find anyone to pull permits; and they had to end up letting the shed go for free to whoever could come and take the shed from them, and now the property is in compliance.

Commissioner Barfield stated most of the time when the Board gets one of these it is from new owners who have a new property, and there are things they have to do to clean the property up; if he understands correctly, they have had the property since 2014; in this case the Special Magistrate has knocked it down from \$7,417 to \$3,858, which is one-half; they went from September 2014 to April 2017, almost three years, without fixing it until the fines and the lien were placed; and he has a difficult time saying the Board should go any lower than what the Special Magistrate says simply because they had ample notice and they knew there was an issue.

Ms. Minnear stated they actually stopped all business and could not continue what they would have like to have done, and they now have a lawn and landscaping business; they are probably going to put the property up for sale; at the time she had a newborn and they actually did not have anything that came from the Code Enforcement; and they totally forgot about the whole issue. She pointed out they have not done anything on the property, and they would like to sell it.

Commissioner Smith inquired when the last time was that they painted a car.

Ms. Minnear replied it was going to be a future for that, but they have not even painted a vehicle there; they were going to repair vehicles; and once they found out all of the requirements to paint, they did not continue that business.

Commissioner Smith asked if they were not painting cars, why staff is saying it was an auto painting business.

Ms. Minnear responded because of all of the vehicles on the property; they originally applied for that; but they never got to do any of that due to the shed not being in compliance and a small building which is less than 2,500 square foot. She noted it has been a big headache since they purchased the property.

Mr. Calkins stated staff cited for work without permit, which was the initial violation on the property; he does not have any record of them saying they have not used it for painting or anything like that in the case file; they do not have a record of when they stopped painting the vehicles, it just went for three years accruing to the total amount; and then they came in and asked for the reduction.

Commissioner Smith stated while he is sympathetic to what Ms. Minnear is saying, he finds it hard to believe she would have been notified and just forgotten about a fine for three years; and he is kind of with Commissioner Barfield with this Item.

Commissioner Isnardi stated she is a little bit more sympathetic; she appreciates they had financial circumstances; she looks at the costs; they only have occasional Code Enforcement issues coming in; but cutting it in half seems arbitrary; when she was a city council person, they would come and tell her the fine got so high he or she felt like it was out of their reach and it was

January 9, 2018

easier to ignore; and when a fine is over \$5,000 it is out of a person's reach. She advised the fine at the very least should be reduced to the cost for staff and that way it is justifiable; and the remaining cost on that would be \$2,375, which would be her suggestion. She pointed out that is fair as it is the cost of the County's time, but a fine over \$7,000 is absolutely ridiculous, and that would be her recommendation.

Motion by Commissioner Isnardi to reduce the fine for Ms. Minnear for the remainder amount of \$2,375.

Commissioner Smith inquired if the Board votes no on this Item, where does it go from there.

Scott Knox, County Attorney, replied to wait for a second motion.

Motion dies due to lack of a second.

Commissioner Tobia stated he is caught somewhere in the middle and he is using math here; it looks like the reduction was about \$3,559 to a total of \$3,858; the cost to staff was \$2,375; he took them and divided by two, and he got \$3,117, which is smack in the middle between what Commissioner Isnardi said and what Commissioners Barfield and Smith said; and he wanted to throw a compromise number in the middle to see if that stuck. He noted before putting out a motion he would like to see what the other opinions are out there.

Chair Pritchett asked what number Commissioner Tobia got.

Commissioner Tobia replied \$3,117, which is just the middle between the reduction amount and then the amount it cost staff.

Chair Pritchett stated what she did is she took the amount before they made the payment, which would be \$2,725, she added it, and divided it by two, and then subtracted the \$350, and she got \$2,992.

Commissioner Tobia stated as Chair Pritchett is the accountant, he will defer to her.

The Board approved the amount of the payment due for the violation at 1238 Lake Drive, Cocoa, Florida 32927, Case 14CE-00162, to be \$2,992; and directed staff to prepare and execute a release and satisfaction of lien upon receipt of payment.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Tobia, Commissioner District 3
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM VI.B.1., APPROVAL, RE: EMERGENCY MEDICAL SERVICES (EMS) SERVICE DELIVERY USER FEE INCREASE

Chief Mark Schollmeyer, Fire Rescue Director, stated Fire Rescue is bringing forth Item VI.B.1., which is requesting Board direction for potential user fee increase for EMS transports; as the board is aware, Fire Rescue is one organization split into two; on the Fire Operations side they are funded primarily by the fire assessment and MSTU; on the EMS side they are funded by EMS user fees and a General Fund transfer; this particular request is to raise the user fees, and giving two options on the Agenda Report; and the reason for which is to offset rising costs that

January 9, 2018

stagnant billing rates have not been able to overcome. He went on to say over the years, since 2009, they have seen about a \$3 million increase in salary and benefits; they have deferred capital; at one point they used to buy four ambulances a year to keep up with the fleet; they are now able to purchase three a year due to rising costs of those units; they have deferred CIP; they have one EMS station in the south end of the County that is suffering from mold and moisture issues; and it will almost cost as much to repair that station than it would to replace it. He pointed out another one of their stations is in disrepair and needs to be replaced; it is not a hardened station like the rest of them are, it is a double wide mobile home behind Palm Bay Community Hospital that has been there for quite a while; they have seen an increase in facility maintenance costs of last year at \$900,000 in mold and moisture remediation Countywide in the fire stations; and EMS's portion is roughly half, so about \$450,000 was spent trying to remediate some of the mold issues they have. He stated none of their vendors seem to care about CPI; for example, their cardiac monitor maintenance firm that manages their monitors, their contract has gone up 50 percent in four years. He pointed out he and Commissioner Smith had a conversation not too long ago, and he was amazed how much ambulances cost over the past 10 years or so, and they have gone up quite a bit. He stated they are also seeing internal costs rising in the form of potential rise in their cost allocation that they are going to pay into; and of course looming is potential wage increases as well. He commented what he has given the Board is two options; Option 1 is the average rate, which back in 2009 they went with the average; one of those pieces of paper shows the Board a list of 56 providers that their billing company and medics provide services for; and by looking at the bottom six or seven, this is exactly where they were in 2009. He added what the Board decided to do then was to take an average, and that is where they came up with the rates they have today. He went on to say Option 2 is taking a cumulative CPI, since 2009, which winds up being 15.75 percent, and applying that to the current rates, which would net them about \$203,000; the reason it does not make a 15.75 net revenue increase because when applying it, the patients are Medicare, Medicaid, Champus, Self-Pay, and a few that have insurance; and applying the 15.75 percent, it is applied to all of the payer mixes. He stated staff is seeking direction and approval for a rate increase.

Frank Abbate, County Manager, added a couple of points; on Option 2, while it would be going up by 15.75 percent, the actual net impact is approximately two percent to the \$15.9 million that is currently collected, so that would only provide two percent; both Option 1 and 2, what staff is requesting is future increases be tied to the CPI Index, so if it goes up it would go up by that amount, and if it goes down it will go down by that amount; it is important to note that even if staff obtains the CPI increase in the future, that will be only a small increase compared to the net revenues just in this particular fund category, because once again, as Chief Schollmeyer has indicated, between Medicare and Medicaid they are already at 68 percent of what those revenues are capped at since they are already receiving the maximum amount of funds that the federal government would provide to those programs to those particular cases; and they are looking forward to the Board's direction. He pointed out staff is hopeful for Option 1, but they wanted to provide both options for the Board's consideration, along with the CPI Index moving forward.

Commissioner Barfield asked Chief Schollmeyer to explain what government pays for Medicare and Medicaid versus what they bill.

Chief Schollmeyer responded the centers for Medicaid services have different fees they pay throughout the country; for example, for a basic life support non-critical transport, they charge \$501; Medicare pays \$347 for that transport; an ALS 2 transport that they charge \$627 for, Medicare pays \$412 for; looking at Medicaid for that same BLS transport, they pay \$136 for that same transport that the County charges \$501 for; and for that advanced life support transport, they pay \$190 instead of \$627.

January 9, 2018

Commissioner Barfield stated it is amazing with self-pay that there is 16 percent and only one percent comes back, and that is why the County has to do the write offs all of the time. He went on to say it bothers him when the Board tries to apply the Consumer Price Index to things like this, because the CPI is market costs for the consumer; it does not include energy costs; it includes things like eggs, bread, and things like that, that a person purchases every day; and it certainly does not work for a cardiac monitor or ambulances prices, which have gone up significantly. He asked what the prices for ambulances are.

Chief Schollmeyer replied they used to pay \$121,000 for an ambulance, and they went to \$191,000 in 2017.

Commissioner Barfield stated applying the CPI does not apply; he does not think it applies what is done in County government as it relates to infrastructure; it is not the cost of concrete or asphalt; the CPI is not set up for that; and he believes the Board needs to choose Option 1. He stated they did an exercise in his office to see what would happen if all the money is taken that is not covered by Medicaid and Medicare and roll it into a rate to try to make up for all that, that is not gotten, and what it would come out to; and it is pretty close to Option 1. He commented insurance covers it; the costs have gone up; and from a business perspective, it is the right thing to do.

The Board approved Option 1, Average of Other Providers, as described as follows: In 2009, the Board approved an increase in billing rates based on the average charges for services when compared to other providers. Option 1 is based on this previous methodology; 56 county and municipal providers comprised the comparison pool. Language would be introduced to Fire Rescue's rate resolution that provides for adjustment indexed to Consumer Price Index (CPI).

RESULT:	ADOPTED [4 TO 1]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Jim Barfield, Commissioner District 2
AYES:	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
NAYS:	John Tobia

ITEM VI.D.1., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: AMENDMENTS TO SECTION 102-122(A) OF THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA

Scott Knox, County Attorney, stated this is legislative intent and permission to advertise an amendment to section 102-122 of the County Code, which relates to bonding for Tourist Development Tax; he sent a memorandum to everyone's office; and basically staff is trying to correct an error that was made that was adopted in 1984. He added the Code company made a mistake in translating its numbering system into a numeral system that is causing an illegal provision in 102-122(a), and staff is trying to correct that.

The Board approved legislative intent and granted permission to advertise for a public hearing to consider an ordinance amending Section 102-122 of the Code of Ordinances of Brevard County, relating to pledging Tourist Development Tax Revenues for repayment of revenue bonds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Vice Chair/Commissioner District 5
AYES:	Rita Pritchett, Jim Barfield, John Tobia, Kristine Isnardi
ABSENT:	Curt Smith

ITEM V.B., OPERATIONS REVIEW AND ASSETS EVALUATION REPORT, RE: BREVARD COUNTY GOLF COURSES

Mary Ellen Donner, Park and Recreation Director, stated this is a continuation of an Item heard at the October 24, 2017, Board meeting; the action requested was for the Board to review and discuss the attached PowerPoint presentation and provide direction to staff on how to proceed with the three County-owned golf courses; the County entered into an agreement with Integrity Golf and as of July 31, 2017, they had breached the contract; and the County then went to IGM to temporarily run the golf courses on a month to month basis. She went on to say Christovich and Associates was contracted and they brought a report to the Board on October 24, 2017; the County entered into an agreement November 1, 2017, for Christovich and Associates to assist with stabilizing and elevating the level and consistency of customer service and assist the County with overall Facility and Course presentation; the Board direction at the October meeting was for the County to enter into an agreement with Christovich and Associates; it directed the County Attorney to take legal action against Integrity Golf; and it tabled its decision regarding the golf courses for 60 days. She continued throughout the months of October, November, and December staff met with various interested parties to evaluate and get input on what they thought might be possible alternative options for the three County-owned golf courses; they met with Savannah's Partners, Golf Brevard, Jett Firm, and Amy Gregory who is an assistant professor with the University of Central Florida; mid-October staff actually went out and assisted the golf courses with maintenance and operations, to help with golf course presentation; and they did such things as maintenance, building repairs, drywall, painting, fencing, lighting repairs, and various other things that they thought needed a little more care. She stated the next slide identifies what the Golf Enterprise Fund balance is as of the end of December 2017; they are actuals that went through the end of the calendar year; she thinks the important thing to note is the Golf Enterprise Fund at the end of December had \$195,104 in it; what they actually did was take the first quarter actuals and projected the second, third, and fourth quarter through the end of the Fiscal Year; they came up with the Gold Enterprise Fund is anticipated to have approximately \$71,000 by the end of Fiscal Year September 30, 2018; to get those projections, they looked at the projections of the number of rounds that are expected at each of the three golf courses, they looked at the anticipated revenues, and they looked at the anticipated expenses; and that is how they came up with the \$71,280 they expect to be left in the Golf Enterprise Fund on September 30, 2018. She continued there has been some discussion regarding capital improvements at each of the golf courses; the Savannah's Partnership had estimated without a cart barn roof at the Savannahs, they would need \$1,000 - \$2,000 of capital investment; Christovich and Associates actually estimated year one, year two, and year three by golf course; and County Facilities Management went out to see what they thought might need to be addressed in the upcoming years. She went on to say there are a total of eight options; the first four options with editorial license are presented as outlined in the Christovich October 13, 2017, operations review and asset assessment report; option one is effective disposition of golf course or courses; for the Board's consideration, option one is disposition of the Savannahs course, disposition of Spessard Holland course, and/or disposition of Habitat golf course; one thing to note on this slide is the mention of a long-term lease and that is defined as 15 - 29 years; and the next slide shows what some of the pros and cons are to option one. She stated option two is to continue to own and operate all three golf courses; if the Board were to consider

January 9, 2018

this option, there are two sub options; the first would be the County running the course and contracting out the maintenance; the second option is for the County to run both the pro shop and the maintenance, which consist of the County running the entire course; and the next slides shows the pros and cons of each of those two models. She went on to say option three is to own all three golf courses and outsource to third party management; she pointed out it states short-term lease and that is defined as less than 15 years; there are pros and cons if the Board were to consider continuing to own all three golf courses and outsourcing to third party management; this is the model in which Integrity was engaged; option four is to divest of the Savannahs Golf Course and retain or operate Spessard Holland and Habitat; the next slide is the pros and cons of that option; option five is public/private partnerships with Savannahs; Savannahs Partnership will be presenting their public/private model later this evening; and there are some pros and cons for this option. She stated items to note on that particular slide are it could cost the County \$200,000 to \$230,000 per year and they arrived at that figure by taking the requested \$70,000 per month payment to the Savannahs partners, deduct what would be the revenue because for a period of time would come back to the County, which would be until sometime when they were cash positive, and the Savannahs Partners requested that for year one the capital investment would be anywhere from \$100,000 to \$200,000. She continued option six is to establish a Community Development District (CDD) which is a local, special-purpose government framework that is authorized by Florida Statutes for the Savannahs Golf Course; one thing to note is there is a secondary development that is in the area of the Savannahs that may be interested in partnering with a CDD, but it is anticipated that the second developer might not even be ready to begin construction anywhere from 18 - 24 months in the future; option seven is a public/private partnership of Spessard Holland and Habitat; there will be a presentation for that from Golf Brevard; their model is similar to the Baltimore model that had five courses that were turned over to a not-for-profit to run; and there are a number of pros and cons for Spessard Holland and Habitat. She added option eight is Brevard County Golf Course Advisory Board Recommendation; at their December 14, 2017, meeting they recommended that the Board consider having public/private partnerships run the Savannahs and separately run Spessard Holland and Habitat; the next slide is the pros and cons of the Brevard County Advisory Board; and she thinks it is important to note that there are decision points that they have tried to assist the Board with if it were to choose any of these options or combinations of the options. She commented there would be some things that staff would ask the Board to consider helping them move forward in implementing the options; and a lot of those decision points are at the end of each of the option slides that have been reviewed. She stated the consideration is also that should the Board choose an option that requires the County to maintain, operate, provide capital investment, or to monetarily compensate another entity for one or more of the golf courses, it is requested that the Board authorize the County Manager to utilize up to \$400,000 of County Reserves for any necessary expenses; a number of things they have looked at going forward, there may be unexpected maintenance or repairs that are unanticipated; there may be operating or weather complications like this past week when it was extremely cold and rainy; and there may be pumps that break or air conditioners that need to be replaced; and it is important to note that they would not spend any of this money unless it was absolutely necessary. She requested that the Board provide direction to staff on how to proceed with the three Brevard County-owned Golf Courses.

Anna Cook, Chairman of the Brevard County Golf Advisory Board and Representative from Habitat Golf Course, stated the Golf Advisory Board has worked tirelessly in the past several months to come up with a solution to be able to maintain County courses for the golf playing public of Brevard County; considering the fact that 1.1 million rounds of golf have been played in this County in the last 10 years, she thinks she can safely say that golf is a much used asset in Brevard County; after much discussion and timeless hours the Brevard County Golf Advisory Board recommends that the Board first enter into a public/private partnership with Savannahs Partnership to operate, maintain, and improve the Savannahs Golf Course with an option that a CDD may be considered in the future; and second that the Board enter into a public/private

January 9, 2018

partnership with Golf Brevard to operate, maintain, and improve Spessard Holland and Habitat golf courses. She added they are two distinct groups who have volunteered to step up with solutions; and Brevard County Golf Advisory Board requests the Board to take action to enact these measures and engage in negotiations as soon as possible.

Fred Shay stated he is there to talk about a public/private partnership between Brevard County and Savannahs Partners for the sole purpose of sustaining the Savannahs Golf Course for the long-term and returning it to profitability; the current situation as he likes to describe it is in a death spiral; rounds are declining, and have declined 43 percent over the time period shown and at the same time Brevard County population has increased by 45 percent; a group of people got together and figured there is something going on with this golf course that is contrary to the golf industry in the United States and the State of Florida; revenues have not met expenses and just about every stake holder is dissatisfied with the situation at the Savannahs; and when the group got together and decided they wanted to look at the Savannah situation in earnest, they spent three months gathering data, talking to people, socializing with County staff, and the golf community, and at the end of that they developed a business plan. He noted the business plan shows the Savannahs is viable and the key to that would be a partnership between a group of interested citizens who are willing to donate their time and invest their money, Brevard County, and the homeowners; as a partner they are asking Brevard County to basically make the course marketable so that Savannahs Partners can aggressively market the property and value price it; and they are also asking the County to support them in transition funding because they are below breakeven and it does not look as though they will get to break even for the first year to year and a half. He went on to say Savannahs Partners will manage all the golf courses autonomously with only oversight from the County; they will provide all the startup expenses and do all of the marketing funded by part of the revenues; the Savannahs Homeowners Association will be responsible for structures and golf course beautification so that they can value price the property and for ongoing funding support and assistance in marketing; and he noted Savannahs Homeowners Association is one of their partners and has contributed investment money. He stated their plan of organization is to have a board of directors consisting of all three partners; they are responsible for fiduciary matters, policy, and oversight; two business management teams, one focused on marketing and one focused on operations and all of them will be volunteers with no salaries; the financials they have is year one through year five growing rounds up to 40,000, because this course has done over 40,000 in the past; and the breakeven would be at 30,000 rounds, the County's breakeven is 36,000 rounds. He noted there breakeven is lower for several reasons and at 36,000 rounds the models show this will be 100 percent self-sustaining and capable of paying back loans, investors, and other things or at least starting that process; any good business person wants to know the best case and worst case scenario; best case is if they can get the partners to work together, they reach 30,000 rounds in year one, and minimize the transition cost; and the worst case is that they flat line, despite all their efforts they cannot bring the course back to profitability in which case Savannahs Partners will pull out and the County will be faced with some unpleasant choices. He stated he thinks if they all work together aggressively that would be very unlikely to happen; cost to the partners would consist of cost for the County for golf course improvements at \$200,000, structures in which the number was taken from a staff report is subject to discussion and evaluation because his personal belief is \$900,000 is too much money and he does not think business could justify that; of course the transition funding which is repayable; Savannahs Partners will put in \$150,000, \$30,000 for course improvements, \$20,000 for structures, and \$100,000 for transition expenses which is startup costs; and the Savannahs Homeowners Association would contribute as well. He noted in summary the County will not find a more motivated, passionate, or working partner to help this golf course; they are local golfers, they will put their investment money into it, and they are willing to do the work with no pay to make this golf course profitable again; and he believes it satisfies all of the stakeholders. He asked the Board for its support for this initiative.

January 9, 2018

Commissioner Isnardi inquired without going into an excessive amount of detail what ideas do they have different than what Brevard County has already tried in the past 20 years, other than asking Brevard County to make investments; she stated she knows he said he would come off the \$900,000 or that he would be open to that, but course improvements of over \$200,000 and the structures, even if it is half of that at \$450,000, what will they do differently to help other than marketing, because she thinks Brevard County has tried that too for a couple of years.

Mr. Shay stated the number one thing that golfers care about is course condition.

Commissioner Isnardi commented and probably location.

Mr. Shay responded no, course condition is number one; location is not even on the list of the top 10; pricing is number five on the list so they want the course condition to be as good as they can afford to make it to attract golfers and that will allow the value price; the more they can price the golf course up, the better it is for everyone; the second thing is they are going to manage the Savannahs Golf Course with a private business perspective opposed to a County perspective; they have looked at the expenses and they think there are many places to improve the expense profile; they will cut expenses fairly dramatically, particularly in the transition period and get the course condition in attractive shape and then market it; and he thinks that will make a big difference.

Commissioner Smith stated he mentioned the homeowners were willing to be partners and asked what their financial investment is in this, what they are willing to pay.

Mr. Shay noted they are partners and will be putting up a partner share investment; they have committed to representing their homeowners for on-going funding, which has not yet been determined; and he would defer that question to the Homeowners Association.

Commissioner Smith stated he thought he heard somewhere that they were willing to be a \$10,000 partner, and he inquired if that was correct.

Mr. Shay replied affirmatively, they have committed to that.

Commissioner Isnardi inquired if that was \$10,000 total.

Mr. Shay responded yes.

Chair Pritchett inquired he said he would try to cut expenses right away, and he is asking for a guarantee of \$70,000, so if he cuts expenses that would be less of a liability on the County as they move forward.

Mr. Shay replied yes.

Chair Pritchett stated this is important to her and she mentioned it yesterday when he talked about the handover cost, and he said that is not accurate he could probably get it down; and she inquired if he could give her an idea of what a reasonable number would be because that would really help her tonight.

Mr. Shay stated easily under \$500,000; there is only one joker in the deck, and that is the deck on the Savannahs clubhouse; he does not have a firm number on that but he knows staff has provided a number and he has personally looked at it, he has not had time to do a full evaluation, but he does not think a complete demolition and replacement is in order, he just thinks it is a re-roof.

January 9, 2018

Chair Pritchett inquired so down from \$900,000 the County is looking at \$500,000.

Mr. Shay stated he will not swear to it, but if they work together with staff they will get that number down.

Chair Pritchett asked if the Board made him commit to that if he would find a way to do it.

Mr. Shay replied yes, he would find a way to do it.

Commissioner Isnardi asked Ms. Donner how much the County has made in capital investments to the Savannahs outside of the normal operating; and she inquired if they had done some capital improvements at that clubhouse.

Ms. Donner stated in October they did some but she would not call it capital improvements; they spent under \$15,000; and she could give her the actual breakdown.

Larry Wojciechowski, Parks and Recreation, stated the repairs Ms. Donner was referring to are repairs to the Maintenance Facility because it was in disarray; they painted it, fixed the inside of the clubhouse, put up some fences that had been blown down from the hurricane, and some minor repairs; and it was about \$15,000.

Ms. Donner stated for the Savannahs they spent approximately \$14,000; for Spessard Holland they spent about \$6,600; and for Habitat they spent about \$9,600. She added in one of the slides it shows where they replaced some pumps at the Habitat; they replaced some air conditioning units at Spessard and at Habitat; and they did some boiler work at Habitat as well, so she would say it is in the realm of under \$40,000 for all three golf courses.

Commissioner Barfield asked how much capital improvements have been put into the golf courses over the last 10 years.

Mr. Wojciechowski stated the irrigation system at the Savannahs is the large investment the County did at the Savannahs Golf Course; they did a limited cart path repairs at the Savannahs; and at the other locations it was limited capital investments.

Ms. Donner stated the Clerk of Courts actually submitted an estimate; since 2006 \$10.8 million was to satisfy the annual debt; there was some operations and maintenance; the Savannahs was \$1.3 million, Habitat was \$1.6 million, and Spessard Holland was \$968,000; and those numbers actually came from Mr. Ellis' office.

Chair Pritchett inquired that was over what period of time.

Ms. Donner repeated that was 2006 to 2016.

Commissioner Barfield stated but that is not necessarily capital improvements; and he inquired if that was General Fund.

Ms. Donner responded that was debt, operations, and maintenance.

Tom Becker, Golf Brevard, stated the issues at Savannahs are very different from those at the two south County courses; for years south County golfers have said just get rid of Savannahs and let them operate with just the two County courses because they say hundreds of thousands of dollars that were earned at the two south courses going north to the Savannahs over time; what that did was prevent Habitat and Spessard from meeting their own maintenance needs; Golf Brevard has a purpose to provide the Board with a proposed concept for retaining the

January 9, 2018

Habitat and Spessard Holland golf courses as affordable, aesthetically pleasing, well maintained golf courses in a manner that creates long-term financial stability while ensuring affordable access to all Brevard County residents and visitors; and he thinks the purpose is attainable. He continued the goal they have is to establish a nonprofit 501(c)3 corporation for the purpose of managing the operations, marketing, and short and long-term strategic planning for the Habitat and Spessard Holland golf courses; the concept is modeled after the successful Baltimore Municipal Golf Corporation; Golf Brevard is not an organization right now, it is a concept; the Golf Advisory Board met six times after the October Board meeting to consider alternative solutions to the Board's concerns; the unanimous conclusion was that Brevard County pursue relationships with public/private partnerships and that these were the preferred models; and Golf Brevard formed in response to what the Golf Advisory Board came up with as a recommendation, and it was formed to consider the feasibility of operating the two south courses through a 501(c)3 nonprofit corporation similar to the model used by the City of Baltimore. He went on to say Baltimore used a nonprofit corporation governed by a volunteer board of business leaders, golfers, and a City representative that assumed operational control of the City's five declining courses in 1985; they were losing at that time approximately \$500,000 per year; the best opportunity for long-term success is that management decisions are removed from the political process and all revenues from the courses are reinvested in operating, maintaining, and improving the courses; in addition to national golf trends Baltimore has lost 25 percent of the City's population; the inner City ends up being a problem for their golf courses because people are fearful of their safety when playing golf; and the City has raised millions from the golf course funds to bring them back into the City's operating funds. He add he hopes the Board recognizes the differences between the demographics with the City of Baltimore and what it here in Brevard County; he hopes as they develop an agreement that the County will help Golf Brevard take measures to prevent Brevard County in the future from coming back and taking funds earned by the courses back for the General Fund because they need to be there to take them through the difficult times that they will have as well; the Executive Director of the Baltimore Municipal Golf Corporation has been employed by that corporation since its inception; he would not change a thing as far as the structure of the organization; and what he would do differently is have a better relationship with the City. He stated Golf Brevard would be a 501(c)3 corporation; it would assume full managerial control; it would be governed by a rotating perhaps seven member voluntary board of directors; the courses would be managed by a professional director of golf, reporting to the board of directors; the director of golf would have full operational and maintenance responsibility and accountability; and any and all revenues generated above expenses would be retained for future improvements. He went on to say the steps that need to take place include the County lease to Golf Brevard at a nominal fee, the two golf courses; the County would retain responsibility for paying Valkaria airport for lease of the Habitat land; the lease is a Brevard County to Brevard County payment; with golfers having subsidized pilots and aircraft owners for the past 25 years, Habitat is the only one of the three County courses that has been required to pay for its land; the approximately \$1.5 million golfers have paid to subsidize the airport operations is a contributing factor to today's quandary; there will be a sizable shortfall in revenue from April to November in 2018; and a grant or loan or combination of the two will be necessary to cover transition of expenses and these expenses are already included in the County's projections on page nine of the presentation. He stated that still shows a balance remaining of \$71,000; the County will need to provide or arrange a line of credit to allow correction of deferred maintenance issues that have been allowed to accrue over time; legal and staff assistance in a collaborative manner with all helpful information shared proactively so that they seek win, win solutions; and the next step would be a decision this evening to pursue an agreement with Golf Brevard whereby there would be a reasonable amount of time for development of the business plan and negotiation; and Golf Brevard would then develop a full business plan, provide a charter for the corporation, and provide a plan for repayment of all or a portion of the transition year cost. He mentioned the Christovich budget, which was part of the report presented to the Board, has been the basis for their analysis; it was designed to tell the

January 9, 2018

County what it needed to do to position the courses for future operations whether the courses were retained or sold; there are four basic pieces of the puzzle that make the largest difference; one is the reallocation of the \$7,000 per month per course, or \$168,000 that is presently in the budget for redundant management fees; the second is the County assume payment of the Valkaria Airport lease which is \$83,000 this year, so golfers are not subsidizing the airport; third is a transition from Golf now or re-negotiations of their contract as present arrangements depreciate values of rounds that are paid by the golfers and removes an inventory of 360 rounds per month per course; and finally include the recommendation of Mr. Christovich to add \$2.00 per round for course maintenance and improvements, which would be an increase of \$140,000. He added he does not see resistance to that from the golf community. He continued the sale of the three courses is complex and a lengthy process due to the restrictions placed on use to the lands when they were granted to the County; a nonprofit entity headed by a volunteer board guarantees all revenues generated by the course are reinvested by course operations and improvements; public/private partnership removes the County from operational decision making; and the County is removed from the golf course business retaining as a recreational asset is parks properties and substantial investment in golf course construction. He went on to say the worst case is Golf Brevard and Brevard County are unable to make an agreement and the County moves to whatever else it may have voted for as plan B; second , Golf Brevard is unable to operate on a break even basis and falls somewhat short of that and he believes in that case they would let it go back as part of the County's regular budget process and decide whether they have created something that is worthy and if there is a subsidy needed what that might be.

Chair Pritchett inquired if the County did issue a line of credit would he be willing to pay it back at an interest rate.

Mr. Becker commented he would. He stated looking at the numbers for those items he mentioned would move them from the several hundred thousand dollar deficit to a several hundred thousand dollar positive on an operational basis, which puts them in a position to do that and puts themselves in a position where they can look at putting money into the capital improvements that are necessary; and he thinks they would need to have a threshold where they are working to a certain level of reserves before paying funds back so that there is a safety margin there.

Chair Pritchett stated in all fairness he has asked for a little time to get the numbers altogether; she inquired what the proportional amount of the \$83,000 that goes to the golf courses and the airport; and she inquired if that is just the golf courses or if that is also for the airport.

Ms. Donner stated that is the price the County pays to the airport.

Chair Pritchett asked if it was possible to renegotiate that with the airport.

Jim Liesenfelt, Interim Assistant County Manager, stated the FAA is going to look for a reasonable rate of return for the non-aeronautical use of that property; he does not know if the County can get much lower than that; the original agreement was for \$42,000 or something like that; it was a Consumer Price Index (CPI) over the last few years; and he feels it was a pretty good deal already.

Chair Pritchett stated she is still working through this; and maybe the golf courses could get to a place where they make enough money to make those payments too.

Mr. Becker reiterated that is one County entity paying another County entity and essentially the way he is looking at it is Valkaria Airport needs to be able to sustain itself without using revenue from golfers to do so.

January 9, 2018

Chair Pritchett stated she does not think they will let the County do that.

Frank Abbate, County Manager, stated that is FAA land so the County is paying a lease that is required by the FAA and it has to be of market value and it has to go to the airport; it is not the County doing it because it wants to, it is a requirement.

Chair Pritchett inquired so to even be able to provide the land the County has to make those payments regardless.

Mr. Abbate stated the County has the right to continue that lease, but it does need FAA approval for any changes it makes as to what is currently being done.

Mr. Becker stated the lease agreement itself indicates the land has been granted to Brevard County so his assumption is that it is County property but any approval of how things are done is by the FAA.

Scott Knox, County Attorney, stated the land is owned by the County, with a reverter to the Federal Government.

Mr. Abbate inquired if the lease is a mandate.

Attorney Knox stated the lease has always been a requirement of the FAA.

Mr. Liesenfelt stated FDOT requires that if the County is using the land, he had the same thing with Transit for non-transit purposes, there has to be a rate of return; Melbourne Airport would have something similar to that; and other municipal airports if they are leasing it to private entities for other things have to get a rate of return back.

Chair Pritchett stated if the Board does this public/private partnership concept, the Board would want to get to a point where the County is not making the lease payments for the courses if they become that profitable; and she inquired once again if the County can get out of the \$83,000 lease payment.

Ms. Donner replied no.

Daniel Mackney stated he is the District 5 representative for the Public Golf Committee Advisory Board; he has worked for the Federal Government for the past 40 years through the military as well as currently with the Air Force at Patrick Air Force Base; he understands the difficulties of trying to balance budget and move funds to make everything happen; one of the things that occurred is they looked in earnest at the way funds were allocated by the County; Ms. Donner provided them a list of what the County paid out over a 20-year period; the County paid a flat rate over those 20 years; and if a CPI had been provided the County may not be in the position that it is currently in because everything went up over twenty years, the cost of golf carts, cost of maintenance, cost of fertilizer, and water. He added the County did nothing, it maintained a stagnant rate going into these golf courses; he is not the most avid golfer as he seen from some of the members who get very invigorated when they say they need to save these golf courses; he does have a 13-year old son and they have been out to Habitat; and one of his complaints was the course is terrible. He continued this is a 13-year old who is saying that; people can tell when a sand trap is not really sand and when a golf cart path is not really a path; when young people who are learning to play the game notice things like that it becomes a key factor; he thinks the Board needs to recognize it is not just the retired people who want to play golf, there are a lot of young people who golf; and he thinks the Board needs to look at the people in the County who want to play golf and bring their children out to play golf at a place where the children can recognize the course as a respectful course worth playing at.

January 9, 2018

Doug Martin stated this is the second home in the Savannahs that he and his wife have owned and lived in for nearly 20 years; both were purchased with the expectation that they would be living in a golf course community; the County has managed the Savannahs Golf Course for over 20 years and during this period the County has never upheld the details of the original agreement; hence the course has limped along and never lived up to its potential; the course went through the devastating economic downturn in the mid 2000's, the loss of the shuttle program in 2011, and suffered considerable damage from the hurricanes in that past two years; and it has been without food and beverage in the clubhouse for the past two years. He continued through it all the course has maintained a loyal group of players; now for the first time in its history it is well poised for growth; and while he will concede that over 20 years the course has not made much money, now that stars have finally aligned in its favor, this is not the time to pull the rug out from underneath the course and the residents. He explained Kennedy Space Center (KSC) and Cape Canaveral Air Force Station are poised to see the most significant growth in over a decade, which includes the opening of Blue Origin where they are on the verge of occupancy and will bring hundreds of long lasting and well-paying jobs to North Brevard County; additionally, a satellite processing facility is currently under construction across the road from Blue Origin which will bring dozens of additional well paying, permanent jobs to Merritt Island; it is probable that additional spin off companies in support of these two large facilities will bring up in the very near future bringing more jobs; these are exactly the type of jobs that produce golfers and golf rounds; and there are already 400 approved new houses for north Merritt Island and more being planned. He went on to say one of the largest developments, Egrets Landing, consisting of hundreds of homes are well on their way to bring 200 new homes directly across the street from the entrance of the Savannahs; another multi-dozen home development just off Courtenay Parkway at grant road was recently approved just five miles from this course; the Board has before it a unique public/private partnership proposal that will both solve the problems facing the County and ensure a variety of recreational activities for County residents; and the proposed partnership will put the management in the hands of a very talented group of successful business men and women along with residents who have a vested interest in seeing the course prosper. He stated it is a well thought out proposal in which the Board has heard the details; the proposal is a win for the County with reducing the County's financial responsibility for the Savannahs by tens of thousands of dollars for year; a win for the home owners who will not suffer devastating loss of property values; and a win for the thousands of County residents who love the game of golf and desire to play at a first class facility in Merritt island. He urged the Board to accept the proposal for the public/private partnership put before it.

Dayna Martin stated in reviewing the Parks and Recreation Department's home page she noticed that the Mission Statement reads, "The mission of the Brevard County Parks and Recreation Department is to enhance the quality of life by providing many types and levels of service that reflect the interest and values of citizens and visitors;" it might be asked why the County is in the golf course business, and the answer is in the Mission Statement of the Parks and Recreation Department; the County is and should be in the golf course business for the same reason it is in the boat ramp business, the campground business, the beach business, the parks business, the Nature Center business, the school athletic site business, the Environmentally Endangered Lands (EELs) business, horse trails, fishing, beach and lake swimming, venues for water sports which includes water sailing, wind surfing, rowing, catamaran, canoe, and kayaking, all of which are advertised on the Brevard County Parks and Recreation Website; and they are all great things. She added the website continues to say there are 550,000 residents in Brevard County; there are also thousands of visitors and many of the residents and visitors are interested in golf and want affordable County golf courses; in the original agreement between the County and the Savannahs, the agreement states that the donated property would be developed as an 18-hole championship golf course and that the rest of the property was being developed as a Planned Unit Development (PUD) with not more than 288 residential homes; the Savannahs is developing and selling lots in this subdivision with

January 9, 2018

representation to the purchasers of those lots that each of the purchasers will be acquiring lots in a golf course community; and that the donated parcel is to be used in perpetuity as a golf course. She continued when she and her husband purchased their home in the Savannahs it was purchased with the clear message from the original agreement that they were buying in a golf course community with a County golf course; every lot in the Savannahs abuts the golf course, there are no disinterested parties; the final decision by the Board will affect the value of not only the Savannahs homes, which are estimated to drop about 30 percent if it has no course, but all area homes because the real estate comp's that are done; it will bring down the value of everyone's home; it will also impact those who love golf, both residents and visitors; and there is so much that could be said about the past, but she does not want to lay blame, but work together. She stated North Merritt Island is exploding with growth, both in business and in housing, and is poised to grow even more; and she noted the Board has in the Savannahs Partners and the Brevard Golf public/private partnerships an opportunity to benefit the Brevard County Parks and Recreation Program, reduce the financial input to the courses from the County, keep the Brevard County property values high, and benefit the homeowners.

Bill Bancroft stated he is a member of the Golf Advisory Board, Commissioner Barfield's nominee; much has been said in the past 57 minutes about Brevard County's golf program and how to fix it; the last time he spoke with the Board, which was approximately 65 days ago, he said the golf courses are the most important County asset with management challenges; he said at that time, to put someone in charge who has a sincere interest in performing their tasks; give them the authority and the funding to that without political influence and with that done the operation will be successful; and that is what the Board is hearing today from the people that are proposing the public/private partnership. He continued by saying yes, the devil is in the detail; he agrees with that because there is work to do; he asked the Board to confirm what the Golf Advisory Board is recommending and to start the process to establish the public/private partnerships at all three courses because he sees it as a win, win for all.

John Richardson stated one of the things he has not heard brought up or it seems to maybe be misconstrued is if the Board were to decide to revert the golf courses or try to sell the golf courses in the original covenants as was mentioned earlier, the Savannahs is to remain as a par 72, 18-hole golf course; the other things is before the County could sell it, or do anything else with it, the level of maintenance of the golf course and the clubhouse, pertinent structures, and improvements will be or exceed those standards established by the national Golf Foundation for courses of comparable proficiency and level of play, but will in no event be less than the high standard maintained for any other public course in Brevard County; and it seems that several Board members are getting hung up on the idea of the capital improvements, but before it could get rid of the courses, regardless, the money has to be spent on the capital improvements; and that is something the Board has to look at. He continued the Board has to spend that money anyway, so why not end up with a course that is in great shape, run by a bunch of people who are successful in business, and have a win, win for everybody.

Sonia Bosinger, attorney for Savannahs Homeowners Association, stated for almost 30 years the residents of the County and visitors have played hundreds of thousands of rounds of golf at the Savannahs; the residents of the Savannahs bought into a golf course community which means they paid higher prices for their homes, maintain higher property values, and in return pay more in real estate taxes to the County; more than half of the residents in the Savannahs are over the age of 55 and many are on fixed incomes; the current annual assessment for the residents of the Savannahs is \$150 per home per year; and for anyone who has not been to the Savannahs Golf Course, they may not realize it is filled with Florida trees, local species of wildlife, and some of the best sunsets this County has to offer. She went on to say the golf course is located less than 10 minutes from the Port and is also the golf course closest to the influx of jobs pouring into this County; everyone knows the jobs coming into that portion of the County are high paying jobs; the result is an increase in homes prices in the area and building

January 9, 2018

up of new homes and communities; in other words more and more people are moving into the northern portion of the County which means the pool of golfers is increasing every day; unfortunately, the course has not been maintained to the standards required by the agreement that donated the parcel to the County; there has been poor management from various vendors, a lack of food and bar services, and little to no marketing effort; and in addition, capital expenditures required to maintain a golf course have been left undone and caused the equipment in the ground to deteriorate faster due to the lack of maintenance. She continued the lack of food service has been a serious deterrent of players to the course as they cannot grab lunch or even a beer at the 19th hole after playing; they are grateful that the County has made efforts over the last three months to make improvements to the course as well as to the restaurant portion of the golf course; during the time that there was food service at the clubhouse, the residents of the Savannahs frequented the restaurant and intend to continue to do so as soon as the facilities is up and running again, which they hope will be in the next few months; and although there has been mismanagement and lack of oversight of the course, they believe there is a solution wherein the course can continue to be a great asset to the County; if the course is maintained properly with long-term goals and plans, steady capital improvements and expenditures, and marketing the course can not only be self-sustaining but also profitable; and they believe the answer comes from having a team of partners who are not only vested to the venture through a capital contribution, but also live locally and some which love playing golf at the Savannahs. She added the residents of the Savannahs have gathered together and are unified in having the County not give up on the golf course business but instead try a new plan; a plan that involves investment by those managing the course so they can run the course like a business and make it profitable; they believe from the information they have been provided and researched, that the course has the potential of being self-sustaining by year three under a public/private partnership between the County, and Savannahs Partners group of investors; if the County decided to give up on the Savannahs and revert the golf course back to the homeowners Association it would create blow back not only for the community but also for the County; the Homeowners Association has a board of volunteers, most of who work regular jobs during the day; the idea of having an entire golf course thrown into their laps is quite daunting; and it is cost prohibitive among the 288 homes, therefore, the property would probably revert to green space. She stated the property values of each of the homes in the Savannahs would be reduced if the homes were no longer surrounded by a golf course; the amount paid by property taxes to the County by each home owner would also be reduced based on the reduction in property values; the homeowners Association would then have to increase the assessments of each owner just to maintain the green space and water retention ponds; this large increase in assessments may cause some owners who are on fixed incomes to go into liens or even mortgage foreclosure; however on the other hand if the volunteer board of directors decided to try and maintain the land at the golf course, the assessments for each owner would increase at least 20 fold; for each owner that could not pay the increased assessment, the portion of their unpaid assessment would be covered by the rest of the homeowners who would then have to pay more; and again this would lead to lien and mortgage foreclosures, blights in the community, and possible bankruptcy for the entire community. She mentioned they are hoping the proposed solution of a public/private partnership will alleviate the County's frustration with the loss of monies on the golf course, and create a profitable asset for the County; they also hope the existence of the Savannahs as a public course will continue to inspire the love of golf by young people in the County and promote all of the recreational facilities that this County has to offer.

Mike Hayner stated when they met back in October, one of the points made in Mr. Christovich's report and in some publications, was that the Savannahs is nothing more than a mosquito infested swamp, people do not like it, it is too hard to play, there is too much water on it, and it is a difficult course; he made a point of inviting friends from both the community in Brevard, people from Orlando, and out of town visitors to come play this course to see what they thought of it; he did not give them any insight on the course, he just asked them to play golf and see what they

January 9, 2018

think; their feedback was they liked the course, it was challenging, not the standard flat wide open spaces; some of the publicity about the course is wrong; they enjoyed the opportunity to see the wildlife; and they observe that the course appeared to be neglected, but they said it was fairly consistent with what they had experienced on courses where similar rates were charged. He added they did not feel it was a real detriment and that it could be improved in appearance and playability from their standpoint; the biggest disappointment was the lack of food and beverage service; he had to invite them to his house for food and beverage; and at the last meeting Commissioner Tobia expressed his disappointment in the fact that at that meeting nobody from the Savannahs really stepped up and said they were ready to take charge, help out, and provide some financing for this. He added he thinks the partnership now that it has formed stands ready to make the Savannahs a success and relieve the cost burden from the County, but it will take some time; it is not something they can do overnight; and he encouraged the Board to vote favorably for the proposal recommended by the Golf Advisory Board.

Priscilla Dillow stated she has been a golfer at Habitat for the last 10 years; she has also played Spessard Holland and the Savannahs; she is a former educator and former Director of the Indiana Golf Course Owners Association; what she knows for sure is whatever is decided for the courses, particularly with Habitat and Spessard Holland, it will not be successful without major improvements, continued quality maintenance, and creative management; when she was the Director of the Indiana Golf Course Owners Association in Indianapolis they did quite a few different things when they decided to revamp their course management and city parks was in charge of those courses; they went to leases and that is not a resort, it was a seasonal community in Indiana, and it was very successful; it was successful because they put the dollars in to improve the courses; and when people go to a course to play, the thing that they want to see is a really nice maintained course with a welcoming atmosphere, and that is what has to be done. She continued when people come and ask her where they can go play golf, she loves the Habitat because she loves the wildlife and the challenge of the course, but as far as the condition of the course, she has to let them know before they go that it is not in very good condition; she is in support of Golf Brevard public/private partnership proposal; the whole this is, why not try something else; and she suggested that the people involved in that, get more input from the people who play those courses to help them get better attendance and play at the course and increased rounds. She went on to say there are all kinds of ways to do that because the people who really run those courses go to the National Meeting of the National Golf Course Owners Association and they hear from them all the inventive and unique things they are doing to increase rounds and to also make it financially feasible for them to own a course; and also there are a lot of things with youth that can be done to encourage that for the future, so that is something she would hope they would explore.

Jett Firm stated he has met with Ms. Donner; the direction that has been met by the Citizen Golf Advisory Board was almost exactly the same direction he would have taken with his own money; the only thing he would have done differently was donated the money and take the County off the hook; the structure of both proposals is superb; there is a lot of work to be done yet, and they are telling the Board they still have more homework to do; as a real estate investor, for him there is a lot of places he can invest his money and may have better returns than the golf courses; it was never about making money it was about keeping the beautiful assets in Brevard County; that land was donated to be a golf course; and the Board has the responsibility to keep it as a golf course. He went on to say the lease with the FAA needs to be paid, it is a steal for that kind of land; there are things that can be definitely turned around; there are people who will step up and volunteer; and he thinks the County should give them a shot at it. He noted he would have taken it himself but unfortunately he has to back down because there are volunteers that want to do it and that is the best way to do it; and he hopes the Board will give them a shot because they did a real good job putting this together, and he thinks it is really thought out. He added he is a developer and he does know the difference.

January 9, 2018

Chair Pritchett stated she is sure they would still take his money.

Mr. Firm commented he will be there if the County needs him.

Gail Meyers stated she is an avid woman golfer and is there to support women in golf; she golfs at both Spessard Holland and Habitat; she is in both leagues there; she does not get to participate all the time because she still works, but she is a member; she loves the courses; and she is also a Golf Advisory Board member as well. She went on to say she hopes the Board will take the recommendation of the Advisory Board because they worked really hard on it; she thanked Tom Becker and the rest of them for presenting a great presentation to the Board; and she hopes the Board will listen to them.

David Bremke stated he has been a PGA golf professional for 30 years; he moved here to help take care of his aging parents; he has been in the trenches of the golf business in the Melbourne and Brevard County for the last 10 years; thinking back a couple decades when the golf courses were making such immense profits that so many other County programs were benefiting from the golf courses, that is just a little reminder of how the golf courses gave back; and unfortunately, at that time, the golf courses did not have the right management to know how to put a lot of that money in a rainy day fund for what they really need now. He stated the County needs the proper and correct management to run the courses and it is the reason the golf courses do not have a serious positive economic impact and value to the County today; he asked the Board to take some time and look in their favorite search engine for the positive economic impact a green space has on a community; that alone should answer everybody's questions on why it would not be thought of to let these golf courses go; and going with the public/private partnership is a very good idea. He stated he knows the studies and the charts and graphs presented to the Board and without upsetting anybody, his experience and watching what has been done for the last 20 years, proper management and running of these courses has never been done; and no one has come to the table with proper knowledge on how to run the golf courses. He mentioned when it comes to staffing of the golf courses it is not just reading meters or making out PO's and doing requisitions, it is all of the staffers dealing with people day in and day out; it is a little different when it comes to the human being aspect of customer service.

Susan Smith stated as a Savannahs home owner, Brevard County resident, and taxpayer she is proud to live in such a dynamic community with all that is offered to the residents and tourists such as boating, fishing, cruises, athletic sports, greyhound racing, golf, and the list goes on; in regards to the County-owned golf courses, the County spent \$10.5 million to build all three courses; millions of that was for the Savannahs; she does not believe it would be fair to the community or the taxpayers for the County to let go of such a valuable community asset; with the growth taking place in Brevard County through businesses such as Blue Origin, One Webb Satellite, and new residents coming in this is the most beneficial time in many years to see revenues from the golf courses greatly increase; now is the time to move beyond why and how the courses are in the shape they are physically and financially and to look forward on how they will become profitable and remain such a valuable County recreational asset; and as a follow up to the question earlier of location of the Savannahs, the location is a prime spot for both residents and tourists. She added it is the only golf course on Merritt Island. She continued increased development is occurring on Merritt Island and it is the closest golf course for tourist arriving in town via State Road 528, Beachline from Orlando Airport, north I-95, and etc; and she thanked the Board for listening to the community in which it serves and for supporting the public/private partnership options for all three courses.

Commissioner Isnardi stated her issues is she does not think all three of these golf courses belong in the same pot; there are two golf courses that operated in the black and two golf courses along with the Savannahs that did not get the proper maintenance that they deserve;

January 9, 2018

she cannot go back 20 years and make decisions, but she does not know a government that builds a golf course and invests \$4 million for a Homeowners Association (HOA); and just going to the Property Appraisers website, because she has friends who pay \$300 month for association fees with no golf course, and those who live in the Savannahs are paying \$150 a year for a golf course, and those who are angry that it is a mosquito infested, non-maintained golf course, she thinks \$150 a year to live in a PUD where the County is maintaining not just the clubhouse but the golf course is a little crazy to her; and it primarily benefits the HOA, the homes range from \$250,000 - \$350,000 and that is just the five or six she looked up. She continued the market value on those homes is very good; she does not know where the compromise is; Savannahs is the big deal because that is what most of the people are here to talk about and the one that year-after-year for 20 years has been losing money; and whose operating expenses were higher than Spessard Holland, who does 11,000 less rounds of golf per year, so she is not sure how that happened. She went on to say she is okay with a public/private partnership, anything to get this County out of a black hole of debt that this golf course seems to be; she cannot be responsible nor can she comment on what has or has not been done in the past as far as maintenance goes, but she does not think the Board should be lumping the three together because the other two are profitable, and she thinks the lack of investment and the capital is not the fault of the two golf courses that are in the black; and for her a public/private partnership would be ideal if she had some sort of history of financials. She stated the County is being asked to take all the risks, not just financially but to invest all this capital for a company that is not even formed as of yet; she understands the intention, passion, and willingness to do it, but if they see Savannahs as being profitable and had all this promise then she would suggest they invest their own money; and to take a gamble with the County's money she cannot support that unless someone has a better option. She mentioned she honestly believes it is up to the HOA as to which how much each individual homeowner wants to invest, but \$150 a year in association fees to live on a golf course that they expect the County to maintain to her is not reasonable.

Chair Pritchett stated she struggles with government being in a position of competing with the public sector; she told the gentleman yesterday that the County has to get in a position to where it does not lose money, and that the government gets out of the golf business because it is not very good at it; she thinks the County needs to move itself in to a position where it starts moving these courses out of the governments hands of running them; what she would like to see happen is for the government to enter into a private public partnership where the government owns the land and the entities come along with the business in a private public partnership and the investors own the business; the County will have to work on what it needs to get them moving to be successful, but this is how she will agree to it; she is working the number in her head to try to make this work because if the County stops it right now, there is going to be a cost to trade it out; and she is trying to figure out what the cost benefit analysis is and what kind of funds the County is looking at. She went on to say everybody is talking about the open green space, but it is really not a bad thing; the trend going on in the country right now is the open green spaces and walk spaces are increasing property values; if that is the end thing that happens in a year or two because this does not work, it is not going to be a bad thing; and she has talked with Ms. Donner about the cost if the County maintained it as an open park at that time, and there is cost involved with that too. She continued she is trying to get her head wrapped around if the County is doing a trade out right now or taking a risk of moving into a public/private partnership or paying for an open space with a park; the analogy she used was Chain of Lakes Parks and a comparison of two other parks, the cost for an open space park would be about \$300,000 a year; and the County inherited this, so if anyone would try to get her today to vote on the County picking up a golf course, her answer would be no. She added she thinks the County needs to figure out a way to get out of this; it is a money situation and she possibly is going to agree to workout taking a risk, but for her to do this, the agreement has to move quickly, it cannot be something that is going to take months and months to be drafted and

January 9, 2018

the County is hanging out for six more months; and she inquired how much the County is losing every month with the golf courses.

Ms. Donner stated they had calculated that each month the Savannahs is costing the County \$74,500; Spessard is costing \$73,000; habitat is about \$77,000; and Habitat is higher because they are paying a lease.

Chair Pritchett stated it is going to be an advantage for the Board to get moving on this so it can get out of the losses.

Ms. Donner stated that is just the expenses and not taking into account the revenues.

Chair Pritchett clarified so that is not a loss it is just expenses.

Ms. Donner responded affirmatively.

Chair Pritchett inquired what the losses are.

Ms. Donner stated they did some monthly calculations that included the revenue and expenses; for example for Savannahs, the revenues were \$48,000 and the total expenses were \$108,000 for the month of November which is about \$60,000 in the red.

Chair Pritchett inquired if it would be fair to say with all three golf courses the County is looking at \$180,000.

Ms. Donner stated Habitat made \$40,000; and Spessard Holland lost about \$14,000.

Frank Abbate, County Manager, stated there is a variety of variables every month that will impact those numbers; they had some very bad months because of the hurricane; there are also bad weather weeks; and he thinks the best numbers to look at are the estimates that were given on page nine. He continued the fiscal year golf course projection and those numbers would show on an annualized basis the numbers that were developed; on the bottom of the page is the revenue less the expenses based on what was assumed to be the rounds of golf for each of the courses; \$150,000 was the loss on an annual basis for Savannahs anticipating that one year; Spessard Holland was at \$93,000 in the positive and Habitat was at \$127,000; and those obviously are based on a variety of factors including the anticipated rounds and looking at an average over a period of time.

Chair Pritchett stated so if the Board were to work on this maybe it could tighten up some numbers to get a better cash flow analysis moving forward; her criteria is that this moves quickly; she will want to see a monthly report for next six months to make sure this is moving in the right direction; and the Board will have to decide on a time period to where the County is at a zero loss. She mentioned if they are not able to achieve that and it starts going south quickly, the Board will have to have the ability to dispose of the golf courses; and that is her current thoughts on this.

Commissioner Tobia stated Chair Pritchett brought up a number of good issues; he thinks this should be handled separately; the Savannahs Partnership worked in conjunction with staff and the County Attorney's Office to put together some hard numbers in the 60-day deadline; he knows they met with various Commissioners and Mr., Shay was in his office, and though they disagreed on much of the philosophy, it was quite an honor to have him there with his great deal of success in business; it is also wonderful to have someone step up and participate in government; and what did come out of that, and there was some changes since they spoke, but it was a very positive outcome because although they disagree on the philosophy, they came to

January 9, 2018

an understanding of the numbers; this is the duty of the Board to make a determination based on the numbers whether or not it should allocate those resources to the golf business; he did a chart and the first one is status quo, what is the County doing now looking at the operating loss, capital expenses, and deferred maintenance that the County has put off; they may make a tiny profit, but there is a ticking time bomb out there of things that are going to break and cost hundreds of thousands of dollars; Mr. Shay mentioned one in the neighborhood of \$400,000 for just the roof deck; and not only is there structural capital expenditures, there are course capital expenditures that Mr. Christovich outlined of more than \$550,000. He went on to say even if the Board were to vest of this course or exercise a revision, the County still has debt to pay; this course had taken out a loan in 1988 for \$3.65 million which has not been satisfied, the County owes approximately \$819,000 to Solid Waste; in addition, there are water management fees whether or not this is continued as a golf course or continues as a green space, that would be a responsibility of the County; what he has done is aggregate these numbers and provided annotations for everyone; this was very fluid and there were major changes that as soon as he received he shared with Mr. Shay and they are now reflected in this; for the benefit of the Board the status quo, looking over the next three years, and if the Board were to continue with this management and cover the capital expenses it would be roughly \$3.5 million; and he noted there are ongoing capital expenses that the Board has no idea what those could be which is \$1.2 million that the County identified, \$559,000 that Mr. Christovich identified, operating losses that have been outlined in the Christovich study, the debt to Solid Waste, and the water management. He stated then to step in with the public/private partnership; and he inquired if they would do better than the status quo; he stated the answer he found was yes, actually quite a bit better to the tune of about \$1.5 million; he congratulated them for the hard work and they have proven they can build a better mouse trap; not only that, through the discussions they have put to the Board, they have taken quite a bit of the risks; his understanding was they were willing to place caps on this such as if the County provided 'X' amount of dollars, any overages would be covered by the partnership, which mitigates a risk; he thinks that is absolutely wonderful; and when he aggregates those, the numbers he got from the meeting with the changes were \$180,000 in operating loss, which is over the next three years, \$900,000 again capped, the County identified \$1.28 million and they said they could do it for \$900,000, \$200,000 for course expenses which is more than half off of what the capital expenses are, and he has no reason to doubt them with their resolve, education, and caring. He continued however, there is another plan out there and that is the decision the Board must determine; the County has many needs out there because when he was out knocking out doors trying to find out what are people's needs he heard a lot of Indian River Lagoon, a lot about the County's broken infrastructure, but he did not hear anything about golf; two of the golf courses are in District 3; if the Board were to exercise the reversion clause, the plan would cost the County \$851,000, which is again \$32,000 for the water mitigation the County would have to pay over the next three years, and \$819,000 to pay off the debt on the golf course; the determination for the Board is whether it is worth operating the Savannahs Golf Course which will cost the County in a best case scenario \$2.1 million; it was brought up that the contract was leading a certain standard, and the response he got back was the Board would not be on the hook for bringing it up to that standard for a whole litany of reasons; and he reiterated the question is, is it worth it, best case scenario, to operate the Savannahs at an operating loss of \$1.2 million more than the reversion. He added if this was a break even where the County would have been on the hook for the exact same, if there was a possibility to make money, that would be different, but best case scenario is this will cost taxpayers; he will hold off on the Golf Brevard as it is in its infancy and there are many holes in it, but the Board can make a decision whether or not it is worth going forward at this cost; and to be honest, while he greatly respects the people who stepped forward, he does not think the \$1.2 million to fund the Savannahs Golf Course is worth the potential 10 or 12 miles worth of roads that Brevard County could re-pave of the hundreds of backed up miles that it is behind and the bulk of Brevard County citizens use as opposed to the golf course.

January 9, 2018

Commissioner Barfield stated this Commission gets hit with a lot of different things, but it appears a lot of the issues began back 20 or 30 years ago and yet this Board gets the blame for it; with infrastructure issues like Commissioner Tobia said, and these golf courses that have been around for many, many years, and along with that, the Board picks up a lot of the issues why it cannot revert it or sell it; the County Attorney provided an opinion on what would have to happen to revert the Savannahs Golf Course; he works a lot with government contracts and he understands what it takes to revert property to the U.S. Government; it does not happen very easily at all; the Bureau of Land Management is the slowest of anyone, but they have a complete process people have to go through to even revert the land; and they have to initiate it, and they do not take input from the public to do that. He continued if they are going to want to sell they would have to put it out for the highest bids; realistically, the item they talked about with Spessard Holland to buy that land from the Federal Government probably would not happen in his lifetime, nor his grandchildren's life time; and he asked Attorney Knox to explain what reversion is.

Scott Knox, County Attorney, asked if Commissioner Barfield is talking about the reverter or something else.

Commissioner Barfield responded the reverter and Savannahs.

Attorney Knox stated the contract provides if the County stops using it as a golf course it is abandoned and it automatically reverts to the homeowners association as the successors to the original reversion that was in the contract; so if the Board decides that is what it wants to do, then that is what happens.

Commissioner Barfield stated some of the other issues with the individuals who bought this property, they bought it with the understanding of a golf course; he inquired what their rights are; and he inquired if there could be a potential lawsuit.

Attorney Knox stated he has no doubt there would be a lawsuit.

Commissioner Barfield asked how long that would take.

Attorney Knox responded it would take time and it would also be uncertain what the results would be.

Commissioner Barfield asked if the County could end up doing the status quo for two or three more years; he put the price at \$3.3 million right there multiplied by two or three and that is what the County be paying; if the Board reverts this, it is going to go to court and it could be a long time; and meanwhile the County is stuck paying status quo. He added any way this is looked at, the County will have to pay something; he does not think the reversion is the opportunity to do that because it makes no sense; and he will let some other people talk and come back to it.

Commissioner Smith asked Attorney Knox about mentioning abandonment as opposed to reversion.

Attorney Knox stated the failure to use the property as a golf course would constitute abandonment which would cause a reversion.

Commissioner Smith inquired if the County walked away from it, then it would not have to incur two or three years of expenses; the County could walk away from it and that would be it.

Commissioner Barfield stated that could happen; it would be interesting to tell the residents that the County has been operating this golf course for 20 years; the people bought their houses in

January 9, 2018

agreement to that; and now the County is going to abandon the golf course and leave it to the homeowners. He mentioned Royal Oak did that; it was private and they abandoned it; the homeowners try to sue them and they filed bankruptcy, but the County cannot file bankruptcy; and anyway it is looked at, the County is going to be sued.

Commissioner Smith stated he could understand what Commissioner Barfield is saying; he is looking at numbers and these homeowners pay \$150 per year for their HOA which is \$17,240; and he asked how many attorneys they could hire for that.

Commissioner Barfield inquired how long is it going to last.

Commissioner Smith stated he does not know; he is not suggesting this, he is just saying looking at the hard numbers, the hard numbers are that the County loses a lot of money there; and he inquired what the Board should do to solve that problem.

Commissioner Barfield stated 288 homes at \$4,000 is their taxes; that is \$1.52 million each year in property tax; to reduce that by 20 or 30 percent that is another \$330,000 the County is losing in taxes; and that is just those houses alone.

Commissioner Smith stated he disagrees just simply because he is sure most if not all of those houses are homesteaded; and because they are homesteaded, it will not affect the amount of money the County takes in at all.

Commissioner Barfield stated that is very possible, but there are also bankruptcies; he inquired if the Board wants to take that risk by abandoning the golf course; he stated he wished the Board did not have this in the first place, but the Board has been dealt with it; and the Board has the responsibility to the citizens in the community. He mentioned the best way to get out of this is to take the opportunity with the partnership and see what they can do; they still have some negotiations to do; they are putting money up themselves and putting themselves out there; and his believe is to give them a shot because the County is going to be paying for it until October anyways.

Commissioner Smith stated Commissioner Barfield says they are putting money out there on their own, which is \$10,000.

Commissioner Barfield stated \$150,000.

Commissioner Smith asked where the \$150,000 is coming from.

Commissioner Barfield stated from the partners.

Commissioner Smith responded that is the partners not the homeowners, the homeowners are putting in \$10,000 which is about \$30 a year they are pitching in; if they are so worried about the loss of their values, he would think they would be more willing to come up with the money to help the partnership; 288 homes to contribute \$416 a year in addition to \$150 that is only \$34 a month to maintain the value of their homes if their homes value is based on being next to a golf course; and that would raise \$120,000 to go towards the partnership. He noted that may be a way to get Commissioner Barfield where he wants to go.

Commissioner Barfield asked if there was anyone from the HOA here to speak to this.

Commissioner Isnardi stated she has a question for Attorney Knox; she inquired if he projects if the County is sued that the County can somehow be successful in either abandoning or

January 9, 2018

reverting back the golf course to the HOA; and she inquired if he believes the County would be successful in defending that.

Attorney Knox stated he believes that the Board has an internal obligation to maintain a golf course, and he does not think it is a legal provision as well; he does believe someone will try to make a claim that the Board should pay for all the reduction value or reinstatement of the condition of the golf course to something that the contract provided for, even though it has been 20 years and never done that way; and he thinks the contract provides its own remedy which is if the County abandons the golf course it reverts to the person who holds the assignment, which in this case is the HOA. He added he thinks even if the contract were valid, that is the remedy; and he stated he is sure someone will claim that the County breached the contract because it never maintained the course to the standard it was supposed to, but that is another issue.

Commissioner Isnardi stated then Attorney Knox could show the losses over the past 20 years.

Attorney Knox stated there are a lot of things the County could show, but the main thing is no one has ever come to the County and complained about it, that he knows of.

Chair Pritchett stated she would hate to get the County into a position to where the Board is even talking about homeowners having to sue or the County suing; if there is a way the Board can take a period of time to possibly make this work, and if the Board were to go down this route, she thinks it should be placed in there contractually that if the County gives them a period of time and it is not working that it will revert back to the homeowners; and maybe there could be something in the agreement that there will not be any lawsuits filed; and she asked the audience to please not speak out right now, the Board is just trying to have some conversations and throughout some ideas. She went on to say if that is not even going to be part of it, it might just be easier to bite it now; the Board is working real hard right now trying to get a win, win for everybody; everyone is not going to be ecstatically happy with this either way; there is no way she will agree to the County losing a million dollars a year on a golf course; something different has got to be done; and if the Board can make this work business-wise with some business smarts then she could possibly be in agreement to give this a shot, but everyone is going to have to work on some contract numbers, time periods, and ideas of what will happen at the end whether it works or not. She reiterated her goals are that the County loses no more money in golf courses, the County is no longer in the golf business; and that the County owns the land, and the partners own the business. She added if the business does not work then it the partners business that failed and not the County where it has to come up with something; and the partners not only own the business but the buildings as well and it will be a complete transfer at that time with this public/private partnership.

Commissioner Isnardi stated she is all for converting back because she believes the private sector can do this much better than government in many ways, especially when it comes to running a golf course; just like Integrity and just like Commissioner Barfield stated before, who does the background on all this stuff; everybody says they are all in, all excited, and they are all going to invest but what assurances does the County have if it is making the investment, paying top rate, investing all the money in capital, and then the County is ultimately the one still taking the risks; and she cautions that these are separate issues in her opinion, the Savannahs which is a whole separate situation, and then there is Spessard Holland and Habitat. She mentioned as excited as she is about the public/private partnership, she would like to know what kind of financials the Board can expect to see; if the Board even considers going that route it needs to have some financial protections, otherwise it is just throwing more money at a bad idea; and she does not want that to happen.

Commissioner Barfield stated first off they all have to work out a negotiated agreement, this is all concept right now; there is a lot more to be done with this to be nailed down such as details,

January 9, 2018

performance, and all that; they have only been working on this for a little over 60 days so there is a lot more to go into this; and he would like to have the HOA attorney speak.

Ms. Bosinger stated there are notions going around that the assessments for the Savannahs is only \$150 per year; she represents 450 HOAs throughout Central Florida, and HOA boards can only create a budget to pay for those items that the association is responsible for, they cannot create an arbitrary budget just to increase the assessments; they need to have those items that need to be paid for as part of that budget; the Savannahs have been able to keep their budget low because of the fact that they only have certain expenses that they have been responsible for; they have not said that their only contribution is the \$10,000; the \$10,000 is the investment to become one of the partners to have a seat at the table; and from their they have discussed with Mr. Shay's group actually having a tiered membership among the HOA where the members who will be using the golf course facilities, which does not include every member of the HOA, having a tiered type of membership for more equity investment, where they are paying monthly for a discount on rounds of golf and a discount at the restaurant. She advised if someone does not play golf, they might want to come and enjoy a cocktail with some type of discount program, or have the ability to become part of the clubhouse and have the feeling of community; the association is willing to put forth the money, they just need the County to take that chance; they understand it is a big investment and there have been major losses by the County but they feel this is an avenue where the County can actually have management from people who care about this facility; a lot of them live within the Savannahs and can actually take care of this asset and make it a profitable one for the County; and she thinks Mr. Shay's proposal shows that this golf course can be self-sustaining, where the County's investment becomes less and less month-by-month. She went on to say she knows he is seeking \$70,000 from the County each month for that to defray their expenses, but once they pass that threshold, her understanding is, and they are planning to put the money back to the County.

Commissioner Isnardi stated it was \$70,000 a month plus capital investment to bring it up to par, which is something the County will probably not be doing for the other courses, if it agrees to this.

Ms. Bosinger stated the other courses have an \$83,000 lease per month, too, so there is a give and take with each situation.

Commissioner Isnardi stated that is correct but their revenue is much larger.

Chair Pritchett noted she thinks the question for Ms. Bosinger was about the investment of the HOA; and she inquired if that is still negotiable.

Ms. Bosinger replied affirmatively.

Chair Pritchett inquired while everyone is working through this, they could write this up with contingency upon the HOA to make an 'X' amount of dollars investment towards this also.

Ms. Bosinger replied that is correct; the HOA has the support of the community; they had a large town hall meeting that was televised on Space Coast Daily where almost the entire community was represented; they have a lot of support from this community of people who are willing to pay the money to protect their property values; and they just want to be able to work out that negotiation and have the County take the chance so that negotiation can take place.

Attorney Knox stated negotiations sounds like where he would make his comment; the County has other mechanisms for collecting money from property owners as well; and that is something the County could talk about with them, if they get to that point.

January 9, 2018

Chair Pritchett asked the Board if it is going to work towards kicking out some contract ideas for public/private partnerships and if so she is recommending that the Board go to a Workshop next week and start discussing, or if the Board is going to go ahead and move with Commissioner Tobia's idea; she would like the consensus of the Board so it can benchmark from here, to start working on other ideas; and she thinks the Board needs to bring numbers if what it is willing to do is taking a risk with the County on the taxpayers, and what can be worked out with the entities during negotiations.

Commissioner Barfield stated he thinks another 60 days is needed for both of them; that would give the Board time to work some negotiations with the HOA; to work with legal to make sure the County has a good agreement to bring forward; and if possible, once it is negotiated, the County Attorney could funnel the information to the Board so the Board knows where the County is at.

Chair Pritchett stated maybe if the Board sits down with a real strong formal one, but if one is done earlier than that, she thinks this is going to take more than one good meeting; she asked the Board's opinion on doing a Workshop in a month to get its ideas together and see if that is even agreeable; and then to try having it worked out in 60 days or so.

Commissioner Barfield stated if they have enough worked out so it can be looked at then maybe the Workshop would not be needed; however, he does like having the Workshop available.

Chair Pritchett stated she thinks it is going to take a lot of conversations; that way they can openly talk with the people coming up trying to represent.

Commissioner Isnardi stated before going through the work and the trouble, the Board probably needs to reach a consensus.

Chair Pritchett asked if anyone wants to make a motion of direction right now so the Board knows what it is going to be doing.

Motion by Commissioner Barfield, seconded by Commissioner Smith, to approve extending the discussion of the potential of a public/private partnership of the Brevard County Golf Courses for 60 days for negotiations in working towards an agreement, and approved scheduling a workshop within 30 days.

Commissioner Isnardi stated obviously she is only one vote, and she feels strongly that the Board should not continue to throw good money at a failing golf course; any public partnership, whether it be Savannahs or the other courses, if the Board is going that route, the next step needs to be the County moving out of the business; it is not something she wants to continue going on forever if it goes the private route; personally, she would get out of the whole Savannahs disaster because she does not believe that without a huge influx of their own money, it will break even; and she is just going off of the last 20 years. She stated the industry does not call for it; the golfing is down and it will probably not go up; and it is the trend across the country. She pointed out that is the only way she will consider supporting that is if the Board would agree, at least by a majority, that if anything partnership wise happens, the County will move out.

Chair Pritchett stated she agrees totally with that.

Commissioner Tobia stated there is an expert in the audience, and he knows the person probably does not want to come up, but his name has been mentioned a lot; and he does not

January 9, 2018

want to move forward with something that has a potential of happening. He asked Mr. Christovich to come up and add his expertise; and he stated the Board read his report.

Chair Pritchett stated by doing a public/private partnership, the County has to maintain the land, but it does not own the business; it is like they give the County \$1 a year to rent or lease it, and it is their business.

Commissioner Tobia asked if the County is responsible for any of the capital.

Chair Pritchett replied nothing, they own the buildings and everything; and that is where she wants to get to.

Commissioner Tobia asked with the trends Chair Pritchett has outlined, is that a possibility; is it worth the County punting again for 60 days for that as a possibility; and what are the odds of that actually happening.

Greg Christovich, Christovich and Associates, LLC, stated the County has a couple of things going for it; it is in positive cash flow season right now; and if it is going another 60 days, it does not have to worry about being upside down as far as the revenue numbers are concerned. He stated the County has sold a little more than \$100,000 annual passes and discount cards, which has given it a little bit of a cushion, and it is the busiest quarter of the year. He went on to say what he can say is that the trends are not any different than they were three months ago nationally, regionally, or locally, and at these golf courses; October has become an anomaly because of the storms, although there was a hurricane last year that interrupted their business for 10 days; November was decent weather, but the rounds were still down by about 30 percent to the prior year; the rounds and revenue in December year over year in the aggregate was 13 percent; and the golf is still sliding. He stated numbers do not lie the trend lines are still showing declining in rounds and revenue; at the three courses in the Florida market, they are still losing golfers. He stated the golf courses are in pretty good shape, the greens are very good at all three; they have looked at the competition, the courses are positioned appropriately price wise and condition wise; they are doing a good job now to make the experience as good as it can be made; and yet it is still down 13 percent in December. He asked if it is worth trying something different to see if these guys can put this together; he stated realistically it is a good time of the year to be doing that because the County is not writing checks to make payroll; and he thinks the Board is on the right track to make it a short timeline to investigate that. He advised the Board he is happy to help the County in any way he can; he has had discussion with both groups, as they asked him for some data; and reiterated he is happy to help if he can. He stated those are the numbers where they are, it is kind of what the data tells them; if there is a time of the year to be doing this, now would be the time; but once it gets to May or June it is when summer comes and it starts raining.

Commissioner Tobia asked where the million dollars is coming from; he stated he thinks it is only fair, as the Board moves forward with this in the best-cased scenario, to identify where that is going to come from, what is going to be cut in order to fund this golf course; secondly, Commissioner Barfield said on July 13 that the Board needs to learn from this and not let it happen again; this is a situation where they should have a performance; and Commissioner Smith agreed with that idea. He commented he would like to come up with a way where there is no liability and no cost on the County; he would like to see there be a plan of \$70,000 of County funds going into the golf course for the snack bar; and since the Board has not made the decision yet as to whether to enter into the public/private partnership or the reversion, he would ask the Board hold that money, because if they do the reversion, and then put County resources into what will eventually be a Homeowners Association asset, that is probably not the wisest use of County dollars. He asked for those conditions to be met or at least examined moving forward.

January 9, 2018

Chair Pritchett stated the Board is probably going to work on a contract, and it will be a good idea to get these types of ideas together of what the Board wants to see in it; and it should be sooner than 60 days so the Board can come to the table with what it is looking for. She stated she knows they will not have the numbers for at least 60 days, but the Board can start working on what it can come to the table to work with.

Commissioner Barfield stated according to the presentation on Page 9, the County will be positive up until the end of this Fiscal Year; the Board has time to deal with this; he would much rather make sure this is done right; and quite frankly, if this does not work it will probably be it. He pointed out this is that shot the Board needs to do, and if it does not work, there could be no Savannahs. He stated the Board needs to work out this negotiation and how it can do this in much more detail; he is fine with a workshop; but he thinks there needs to be communication. He went on to add this is an asset; every other Board has tried to deal with this and have not been successful at it; and he has 320 days left, so he wants to make sure there is a solution that will be viable for the future.

Chair Pritchett called for a vote on the motion. The Board approved extending the discussion of the potential of a public/private partnership of the Brevard County Golf Courses for 60 days for negotiations in working towards an agreement, and approved scheduling a workshop within 30 days.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Curt Smith, Commissioner District 4
AYES:	Rita Pritchett, Jim Barfield, Curt Smith
NAYS:	John Tobia, Kristine Isnardi

Mr. Abbate stated he wants to talk about the Board's schedule; and staff has scheduled currently a workshop date for January 18th, which is only a week away.

Chair Pritchett inquired if staff wants to talk about contract terms with the Board.

Mr. Abbate replied it is a little early; he suggested if the January 18th date is too early, the Board is currently scheduled for Budget and Homestead Exemption on February 15th, the Board could move that to March, the Golf Workshop could be February 15th; and it would be done in 60 days. He stated he is trying to give the Board the time to get that done in a timely manner and accomplish what the Board is trying to do; and staff could get back in 60 days if that is in the Board's interest.

Chair Pritchett stated maybe the Commissioners could work off line and come together before another month for the Budget Workshop as well.

Mr. Abbate asked in the 60-day negotiation period, does the Board want to appoint someone to participate in working with either of the two groups or both groups in terms of moving forward with preliminary negotiations; and he asked for Board direction on that if there is any.

Chair Pritchett stated the Board is going to come back and have a workshop, and staff will be in contact with everyone; and hopefully it will come up with a solution to take care of everyone. She stated the worst thing to be done is just to abandon it and drop it on the residents; and that is not what she wants to do ever. She noted not everyone will be happy, but there should be

January 9, 2018

something that everyone ends up in a good place when everyone is done and the County is not losing more funds.

*The Board adjourned and reconvened at 8:25 p.m. as the Barefoot Bay Water and Sewer District.

ITEM VI.F.1., RESOLUTION, RE: ACCEPT PROPOSAL OF TD BANK, N.A. TO PROVIDE THE BAREFOOT BAY WATER AND SEWER DISTRICT WITH A TERM LOAN TO REFUND ALL OF ITS OUTSTANDING UTILITY REVENUE BONDS, SERIES 2000 IN ORDER TO ACHIEVE DEBT SERVICE SAVINGS

Scott Knox, County Attorney, stated these are bonds that are being issued, or at least they are going to get approval to be issued, for the financing of Barefoot Bay improvements, at the amount of \$1.3 million twice.

The Board, acting as the Governing Board of the Barefoot Bay Water and Sewer District, adopted Resolution No. 18-001, accepting the proposal of TD Bank, N.A. to provide the District with a term loan to refund all of its Barefoot Bay Water and Sewer District Utility Revenue Bonds, Series 2000 through 2018; authorized the execution and delivery of a loan agreement among the District, the County, and TD Bank, N.A.; and authorized all necessary Budget Change Requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	John Tobia, Commissioner District 3
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

*The Board adjourned and reconvened at 8:27 p.m. as the Brevard County Board of County Commissioners

ITEM VI.F.2., RESOLUTION, RE: ACCEPT PROPOSAL OF TD BANK, N.A. TO PROVIDE THE BAREFOOT BAY WATER AND SEWER DISTRICT WITH A TERM LOAN TO REFUND ALL OF ITS OUTSTANDING UTILITY REVENUE BONDS, SERIES 2000 IN ORDER TO ACHIEVE DEBT SERVICE SAVINGS

Scott Knox, County Attorney, stated this is actually Jim Helmer, Utility Services Director's Item.

Mr. Helmer stated this is good news because the County gets \$130,000 savings annually from the debt service from this transaction, which is money sorely needed in Barefoot Bay for capital improvements; and this is a happy item for staff.

The Board adopted Resolution No. 18-005, accepting the proposal of TD Bank, N.A. to provide the District with a term loan to refund all of its Barefoot Bay Water and Sewer District Utility Revenue Bonds, Series 2000 through the issuance of the Barefoot Bay Water and Sewer District Utility Refunding Revenue Note, Series 2018; authorized the execution and delivery of a loan agreement among the District, the County, and TD Bank, N.A.; and authorized all necessary Budget Change Requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Jim Barfield, Commissioner District 2
AYES:	Pritchett, Barfield, Tobia, Smith, Isnardi

ITEM VI.F.3., CITIZENS REQUEST BY BRUCE MOIA, RE: APPROVAL OF WAIVER TO HOTEL ROOM MINIMUM SIZE

Tad Calkins, Planning and Development Director, stated this Item is a Citizen Request for the Board to waive the requirements for the minimum floor area for hotel and motel rooms in the TU-1 and TU-2 Zoning Code; they are also suggesting that the Board propose legislative intent and consider revising the minimum floor area of 250 square feet or a minimum industrial standards and have it brought back before it within 60 days; and he understands there are people present to address any questions the Board may have.

Chair Pritchett pointed out she does not have any cards on this Item.

Mr. Calkins stated Mr. Watson is here to talk to it.

Commissioner Isnardi commented she received a call from Bruce Moia, and he wanted to be here to speak on this issue, but he thought the meeting was in the morning, and he had to go out of town; from what he explained, and perhaps staff can concur, is this is not really a big issue as far as the waiver for the room minimum size; and staff, from what Mr. Moia reported, had a difficult time figuring out why the County had it in the first place. She asked staff to explain the history and purpose.

Mr. Calkins responded he does not know if he can give the Board a reason for the minimum square footage for the hotel room; it has been in the County's Code since 1979; before that it was 300 square feet; staff has looked at some other jurisdictions briefly; and they see hotel rooms can range from 150 square feet on the low side up to 400 square feet at the higher side. He went on to add he does not know if there is an industry standard.

Commissioner Isnardi inquired if in Mr. Calkins' professional opinion if the Board should remove this from the Code.

Mr. Calkins advised he does not know if the Board would want to remove it, but it may want to look at what is a reasonable amount of square footage for the hotel rooms.

Commissioner Tobia stated this is before the Board of Adjustment right now; they are tied; he thinks the Board should let this run its course; and that would probably receive a faster action than the Board moving forward with this citizen's proposal. He stated he is not against it; it seems they are trying to circumvent the process the County has in place and come directly to the Board; and he does not know if that sets a good precedent moving forward.

Scott Knox, County Attorney, explained typically a person cannot come before the Board to waive a Zoning Ordinance; the Board cannot do it; the Board of Adjustment holds various proceedings to consider variances for hardships; they are tied at 2:2; and the meeting that is coming up, they will have a fifth person present and hopefully will break the tie. He advised what this Board can do is amend the ordinance to say create a range for hotels; and in the past if the Board had unanimity in that approach and the Board was interested as a group to do that, it has evoked what they call the 'Green Light Doctrine' that says basically they are going to do it

January 9, 2018

anyway; the particular application can be looked at and applied right now pending the adoption of the ordinance.

Commissioner Smith asked when Mr. Calkins was looking at other counties, did he see that other counties have the same restrictions or have different restrictions.

Mr. Calkins responded they looked at six cities, and all of them were within the County; there was a range and they varied; one city indicated they leave it up to building review, which would indicate they really did not have necessarily a minimum square footage, but it is reviewed through the building; but from a Zoning Code standpoint there was a variation from 150 to 400 square feet. He noted they have not looked at other jurisdictions in the State of Florida, but they can do that.

Commissioner Smith stated he would like to see some results from that; he is a free market guy, but he wants to protect the public at the same time; he knows that cruise ships have tiny rooms, and people spend six or seven days there; and most hotels and motels have a one to two night stay unless it is a convention. He stated he does not see the necessity of having a requirement for 'X' number of feet; and he thinks the market would adjust itself, but he does not know it for sure. He pointed out he knows when he stays he calls for the price, not the size of the room; if it is clean and safe, he does not care; and he is only putting his head down to sleep and getting up in the morning and leaving.

Chair Pritchett stated she thinks it would be market driven; what is happening now is more the millennial, and they are going for the smaller rooms; and she would be in favor of just getting rid of the sizes all together and letting the market drive it. She went on to say she would be in favor of doing a legislative intent to change the Code all together and removing the size all together, and letting it be driven by the market.

Commissioner Isnardi agreed with Chair Pritchett, and she stated she is glad she said it; she believes it is market driven; if the Board moves forward, it takes care of the bureaucracy of having to do research on 40 other cities; and it helps the County do something efficient. She stated this will allow this gentleman who wants to move forward with his project.

Attorney Knox stated if the Board has a consensus that is what it is going to do, and instruct staff to move forward with the amendment removing the condition all together; it can allow the gentleman to proceed.

The Board approved legislative intent and granted permission to advertise an ordinance removing the size restriction for a hotel or motel minimum room size; and approved the application pending before the Board of Adjustment can move forward on the basis of the proposed ordinance.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Kristine Isnardi, Vice Chair/Commissioner District 5
SECONDER:	Jim Barfield, Commissioner District 2
AYES:	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
NAYS:	John Tobia

January 9, 2018

ITEM VIII.D., BOARD REPORTS, RE: JOHN TOBIA, DISTRICT 3 COMMISSIONER

Commissioner Tobia expressed his appreciation to Chair Pritchett for coming up with new music; he stated he does not know if she is responsible for that; but he will give her credit for it. He went on to state his appreciation to Chair Pritchett for the pledge of civility; and he likes her leadership so far.

ITEM VIII.E., BOARD REPORTS, RE: CURT SMITH, DISTRICT 4 COMMISSIONER

Commissioner Smith stated had he known the music could be changed, he would have had Led Zeppelin. He stated he wants to share some personal information with the public and his fellow Commissioners; back in May 2017, he was diagnosed with Prostate Cancer; the irony of that was not lost in him because over the last three years he has grown a beard promoting Prostate Cancer awareness; and this year they raised \$3,000. He went on to say his Urologist called and said the bad news is he has Prostate Cancer, the good news is he sent it away to a genetics lab and it is a very non-aggressive form of cancer; and if he does nothing he will probably live to be 20 years older, but he would suggest he research different treatments and decide on some type of treatment. He pointed out he did that; he looked at surgery versus radiology; he went to the Mayo Clinic and Cancer Treatments of America; and he finally settled on a clinic in Sarasota. He stated Sarasota is about three hours away, so for the length of the treatment he traveled back and forth; on a few occasions it mandated driving three hours to the meetings and three hours back over there; and it got to be a bit tedious. He stated it was what was required as a steward and representative of the people. He noted initially he and his family chose not to make this information public because they did not want to fan public speculation. He expressed his appreciation to his fellow Commissioners for their cooperation in allowing him to attend the meetings via telephone that he could not physically attend because he was having treatments, even though he did not inform them of those things. He commented he is happy to report the treatments have gone well and the prognosis is positive; and he looks forward to getting back to business both as a Commissioner and as a campaigner.

Commissioner Isnardi stated she is going to give Commissioner Smith a hug in the middle of the meeting; and she expressed her appreciation to him for sharing. She stated if he needs anything, he has a nurse at his disposal.

ITEM VIII.F., BOARD REPORTS, RE: KRISTINE ISNARDI, DISTRICT 5 COMMISSIONER/VICE CHAIR

Commissioner Isnardi asked that the Board and its staff, with all due respect to all involved, would do fewer updates on the Agenda; she stated it is very irritating when she has to constantly go to the Agenda to see an update or something swapped out on issues that could wait until the next meeting; if things are pressing, that is fine; but she had 20 emails from the Clerk's Office, or from Sally Lewis' Office, because she has to do an update or replacement. She stated she would like to get it together; and if it is not urgent and pressing, to not do it. She advised the Board Ms. Lewis has not complained to her; she feels for her and staff; and it is not fair to the County's residents that the Agenda is constantly being changed.

Commissioner Smith stated his treatment consisted of three separate segments; the first one was eight weeks of daily Monday through Friday treatments; the second one he had two weeks off; then he had another week of treatments; then he gets three months off; and then he has three weeks of treatments to wrap it up. He advised that will be at the end of February and the first two weeks of March, and after that he is done.

January 9, 2018

**ITEM VIII.G., BOARD REPORTS, RE: RITA PRITCHETT, DISTRICT 1
COMMISSIONER/CHAIR**

Chair Pritchett stated she is amazed, she feels Commissioner Smith has been incredibly strong; he has been chipper; and if it would have been her, she would have been whining. She stated she is impressed Commissioner Smith has been through that and faithful to serve his constituents. She pointed out he now has more of her admiration than he did before.

Upon consensus of the Board, the meeting adjourned at 8:47 p.m.

ATTEST:

SCOTT ELLIS, CLERK

RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA